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ABSTRACT

This document comprises three reports to Congress on activities and programs which are administered by the Office of Education for the Assistant Secretary for Education of the U. S. Department of Health, Education and Welfare. Periodic reports are required under section 714 of the Emergency School Aid Act (ESAA) of 1972 (Title VII of Public Law 92-318) regarding the implementation of programs under the act and the Emergency School Assistance Program (ESAP) (Public Law 91-380) which preceded it. The first ESAA report, issued on September 23, 1972, covered the administration from August 1970 to September 1972 of ESAP, which served as an interim program to provide assistance to school districts facing critical and immediate needs in the desegregation process. The second ESAA report, issued on June 29, 1973, presented a review of the period from September 1972 to March 1973 and dealt with the developmental activities involved in designing policy objectives and program procedures for the administration of ESAA. The report described in detail the ESAA budget allocations and funding cycles, regionalized program administration and developmental assistance, and the preparation and dissemination of pregrant materials to potential applicants. The third report, of September 28, 1973, covered the period from April 1973 to September 1973. It dealt with the actual implementation of the ESAA programs and listed all of the grants and contracts awarded in fiscal year 1973. (Author/JM)

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FEDERAL ASSISTANCE TO DESEGREGATING SCHOOL DISTRICTS

U.S. DEPARTMENT OF HEALTH
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A REPORT ON ACTIVITIES FROM AUGUST 1970 TO SEPTEMBER 1972

Emergency School Assistance Program (P. L. 91-380)

Emergency School Aid Act (P. L. 92-318)

As Required Under Provisions of
Section 714, Title VII, P. L. 92-318

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INTRODUCTION

> "Under explicit holdings of this Court the obligation of every school district is to terminate dual school systems at once and to operate now and hereafter only unitary schools"
>
> -Alexander v. Holmes
> 396 U.S. 19 (1969)

The decision of the Supreme Court in *Green v. County School Board of New Kent County, 391 U.S. 430 (1968)* constituted a clear announcement that school boards must adopt a plan for conversion to a unitary system "that promises realistically to work, and promises realistically to work *now*." Further it ended forever the freedom-of-choice plan as the means of achieving a unitary school system unless it could be shown that such a plan would work.

Some sixteen months later, in *Alexander v. Holmes*, the Supreme Court held that the "continued operation of segregated schools under a standard of allowing 'all deliberate speed' for desegregation is no longer constitutionally permissible." Thirty-three school districts in the Fifth Circuit and, by implication, all *de jure* districts were ordered to accomplish full conversion "*at once*. . ."

These two landmark decisions in 1968 and 1969 fixed September 1970 as the time when hundreds of school districts which had maintained dual school systems would be required to have converted their schools into single unitary systems.

While the conversion process had been moving forward during the late sixties, many school systems in the 17 southern and border States were not prepared for the all encompassing changes that would be required by the opening of the 1970-71 school year.

It became apparent by late spring of 1970 that approximately 1,000 formerly segregated school districts would be required to convert to a unitary system prior to or during the 1970-71 school year. Of these, over 200 districts were under court order to desegregate by September, 1970, some 500 were in the process of negotiating with HEW to complete desegregation plans by December, 1970, and over 250 were operating under plans which had been implemented within the preceding two years.

These districts were concentrated in the 17 southern and border States and ranged in enrollment from 55 students in Mineral Springs, Arkansas to 244,000 in the Dade County, Florida system. They enrolled 10,105,000 students including 3,433,171 in minority groups. It was estimated that more than two-thirds of these students would be reassigned to other schools for the 1970-71 school year - a move of dramatic dimension and historic significance.

Prior to 1970, direct Federal assistance to desegregating school districts had been limited to the educational support activities authorized under Title IV of the Civil Rights Act of 1964. Grants for advisory specialists and teacher in-service training programs had been made to 701 districts during the period

1965 through 1970. However, this type of assistance was severely limited and could not be used to support community activities, remedial programs, student-to-student programs, or other necessary services and activities.

During 1969 a greater number of individual school districts were brought under court order to desegregate immediately -- at the beginning of or during the next school year -- than at any previous time. In some instances a single court decision affected many districts. For example, Holmes v. Alexander affected 33 districts in the Fifth Circuit, and Singleton v. Jackson Municipal Separate School District included 13 districts which were ordered to desegregate by February 1, 1970.

In increasing numbers from these school districts came requests, pleas, and even demands for assistance in meeting the many problems attendant upon conversion from a dual to a unitary school system. The greatest demand for assistance came in the areas of personnel, student services, and curricular change rather than in requests for new construction, plant renovation, or augmented transportation. In essence, from 1970 on, many white teachers and many black teachers would be teaching both black and white students in the same classes with the same materials. Similarly, from 1970 on, many communities would be required to understand, accept, and live with the fact that the era of segregated, dual school systems had finally come to an end all over the country - sixteen years after the first Brown decision. A new era of equality of educational opportunity was beginning.

CHAPTER I

BACKGROUND OF THE EMERGENCY SCHOOL ASSISTANCE PROGRAM

As a first step in the Administration's positive move toward providing assistance, the President created a Cabinet Committee on Education under the chairmanship of the Vice-President. Its establishment was indicative of the deep and abiding concern for the problems faced by the desegregating school districts throughout the southern and border States. The committee included the Secretary of Health, Education, and Welfare, the Secretary of Labor, the Secretary of Housing and Urban Development, the Attorney General, the Postmaster General, the Director of the Office of Economic Opportunity, as well as a number of Presidential counselors. Seldom in recent history has an educational problem been of such scope and magnitude as to require the concerted attention of such a group of Federal officials at the very highest levels of government.

The Administration's initial position on the desegregation problem was the Statement by the President on Elementary and Secondary School Desegregation of March 24, 1970.

This statement dealt with requirements for desegregation by summarizing the principal, pertinent decisions of the Supreme Court as well as areas of agreement and disagreement then extant among decisions of the lower courts. It pointed up the urgent need to improve educational opportunity in general and reaffirmed the pressing requirement to eliminate artificial racial barriers in all aspects of American life. The concluding section defined the policies to be followed by the Administration in helping to meet the many problems arising from the nation-wide move toward fully desegregated school systems.

The operating policies established by the Administration included a charge to the Cabinet Committee to gather the best information and evidence about what actually works in desegregation -- including varied approaches to de facto segregation in the North as well as the South -- and to make this data available to any community which required it.

Finally, the President directed that $500 million should be diverted from other areas of the FY 1971 budget request and that $1 billion should be placed in the FY 1972 budget to carry out his commitment to assist school districts facing problems incident to desegregation. He then directed the Secretary of HEW in association with the Cabinet Committee on Education to prepare legislative proposals to authorize the expenditure of funds and to consult with experts to develop criteria for fund allocation addressed to the following categories of special needs:

1) The special needs of desegregating (or recently desegregated) districts for additional facilities, personnel and training required to get the new, unitary systems successfully started.

2) The special needs of racially impacted schools where de facto segregation persists - and where immediate infusions of money can make a real difference in terms of educational effectiveness.

3) The special needs of those districts that have the furthest to go to catch up educationally with the rest of the nation.

4) The financing of innovative techniques for providing educationally sound interracial experiences for children in racially isolated schools.

The President's statement affirmed the Administration's support of the concept of a free and open society and concluded with a pledge to improve the quality of education in all schools with special emphasis on the most racially impacted areas.

The Emergency School Aid Act of 1970

A grant program of the dimensions outlined in the President's statement of March 24 required carefully worked out legislative proposals. Earlier in 1969 staff from the Office of General Counsel and the Office of the Assistant Secretary for Legislation in HEW had developed draft legislation directed toward the problems which local school districts were facing at that time as desegregation became a reality.

Utilizing this draft bill as a prototype, HEW staff working in concert with the Cabinet Committee and Department of Justice refined and sharpened a legislative proposal for submission to Congress. On May 21, 1970 the President transmitted this bill to the Congress with an accompanying message entitled "Aid to Schools with Financial Problems." The legislation was grounded in three categories of aid to help schools in the four categories of needs outlined in the March 24 message.

Category I included assistance for special needs incident to desegregation for districts in the process of eliminating de jure segregation either under court order or in accordance with plans approved by the Secretary of Health, Education, and Welfare.

Category II contained provisions for aid specifically targeted to districts that wished to undertake voluntary efforts to eliminate, reduce, or prevent de facto racial isolation.

Category III was designed to aid districts in which de facto racial separation persisted in order to help establish special interracial or intercultural educational programs or similar programs designed to overcome the educational disadvantages of racial isolation.

In all three categories administrative priority was to be given to what was described in the March 24 message as "the special needs of those districts that have the furthest to go to catch up educationally with the rest of the nation." Two-thirds of the funds initially appropriated for the program were to be allocated directly to eligible school districts based on the number of minority children within the State. Reallotment would subsequently be made on the basis of need. The remaining one-third would be reserved to the Secretary of HEW for the support of especially promising programs within an eligible district. A special feature provided that minority children within any local educational agency which was required to desegregate would be double-counted so that funds would be concentrated in those areas where the greatest move toward ending de jure segregation was taking place.

Under Category I (de jure desegregating) any district was eligible which was then implementing an approved desegregation plan or which had completed implementing a plan within two years prior to its application for funds. Those districts without a plan could become eligible upon submission of an acceptable plan.

Under Category II (de facto desegregating) any district was eligible if it had one or more schools in which minority pupils constituted more than half of the enrollment or if such an enrollment seemed imminent. Funds could be provided to support a comprehensive program for the elimination, reduction, or prevention of racial isolation in one or more schools within the district.

Category III aid (special programs in racially impacted areas) would be available to districts with 10,000 or more minority students or where minority students constituted 50 percent or more of the total enrollment regardless of the size of the district.

Examples of the kinds of activities which could be supported under all three categories included teacher training, special remedial programs, guidance and counseling, development of curriculum materials, renovation of buildings, lease or purchase of temporary classrooms, and special community activities associated with projects funded under the Act.

The President's message clearly pointed out that the bill was submitted late in the legislative year. Discussions were then being held between Administration representatives and members of the Congress to find ways to make some of the funds ($150 million) available immediately through the use of existing legislative authorities. The result was an interim program entitled the Emergency School Assistance Program (ESAP) which was enacted as part of the 1971 OE Appropriations Act, but at the level of $75 million.

The Emergency School Assistance Program (P. L. 91-380)

The President carried out his pledge to provide interim emergency assistance to the nearly 1,000 school districts which were either under court order or voluntary Title VI plan to desegregate formerly de jure segregated districts by the 1970-71 school year. He transmitted to the Senate on May 26, 1970 a supplemental budget request for $150,000,000 to be used immediately in discretionary grants to assist those districts with problems incident to desegregation. The budget justification request was based on the following six existing legislative authorities which provided for the type of interim emergency assistance program outlined in the May 21 message:

1. Economic Opportunity Act of 1964, Title II, Urban and Rural Community Action Programs.
2. Education Professions Development Act of 1967, Part D, Improving Training Opportunities for Personnel Serving in Programs of Education Other Than Higher Education.
3. Cooperative Research Act of 1955, as amended.
4. Elementary and Secondary Education Act of 1965, Section 807.

5. Civil Rights Act of 1964, Title IV.

6. Elementary and Secondary Education Act Amendments of 1967, Section 402.

These six authorities were selected because they met the following criteria:

- focused on elementary and secondary education
- provided for student and teacher services
- were discretionary authorities
- channeled funds into areas of greatest need
- were designed to support and encourage demonstration activities
- were flexible in the range of activities which could be supported
- were clearly relevant and appropriate to the needs of desegregating school districts
- had authorization levels to permit additional appropriations

The supplemental budget document further estimated that some $115 million would be spent by participating school districts on special educational personnel and student programs, $15 million on community participation activities, $17.9 million on equipment and minor remodeling, and $2.1 million for OE administrative costs in program operation. The $15 million estimate for community based programs later gave rise to the community grants phase of the ESA Program.

In the absence of specific, substantive legislation authorizing the Emergency School Assistance Program, program regulations were developed to define the program. These regulations were approved on August 7, 1970 by the Acting Commissioner of Education and the Secretary of HEW and were published in the Federal Register of August 22, 1970 as Title 45 CFR, Chapter I, Part 181.

They identified the purposes of ESAP and sharply defined eligibility requirements for participating local educational agencies. Authorized activities for which grant funds could be used were grouped under five general headings in Section 181.4. Fund allocation and State allotment procedures were contained in 181.5 followed by a set of requirements and assurances which applicant districts were obligated to meet. Other sections dealt with the formation of advisory committees, program evaluation procedure, priority criteria, project review by the appropriate State educational agencies, non-Federal contributions, application submission and disposition procedures, and General Terms and Conditions applicable to all grants made under the program.

Because of the broad reliance on Title II of the Economic Opportunity Act for basic legislative authority, a memorandum of understanding was negotiated between the Secretary of HEW and Director of the Office of Economic Opportunity. For purposes of the ESAP operation this agreement delegated various sections of Title II to the Secretary of HEW and specified terms and conditions under which the delegation was to be made. The agreement was signed on June 12, 1970 by DHEW and on June 17, 1970 by OEO.

In the course of negotiations in the appropriations committees, the Administration's request for $150, 000, 000 for ESAP was reduced by half to $75, 000, 000. Certain specific restrictions on the eligibility of applicant school districts were also added. An amendment was added on the Senate floor ---the so-called "Mondale Amendment"--- to deny eligibility to districts which had engaged in the sale, gift, or lease of real or personal property or services to nonpublic elementary or secondary schools or systems practicing discrimination on the basis of race, color, or national origin.

Public Law 91-380, the Office of Education Appropriation Act for FY 1971, was passed in final form by the House of Representatives on August 13, 1970 and by the Senate on August 18, 1970 and was subsequently signed into law by the President.

Since this date was perilously close to the opening of school in many eligible districts, the Office of Education's Division of Equal Educational Opportunities urgently set about the task of providing emergency assistance to over 1, 000 school districts.

CHAPTER II

ESAP I ADMINISTRATION: AUGUST 1970 - JULY 1971

The Emergency School Assistance Program of 1970 (ESAP) was created as an interim, short-term measure to assist school districts facing critical and immediate needs in the process of desegregation.

Many of the school districts already under court order to desegregate by September, 1970 lacked adequate financial resources. School superintendents and boards of education faced many practical problems: revising policies, remodeling schools, rescheduling students, reassigning teaching staffs, modifying the curriculum, and maintaining community support and stability.

A number of the teachers who were being reassigned to teach children of a race different from their own for the first time had to be trained to work in situations calling for human relations skills and new techniques for helping children with a wide range of abilities and backgrounds.

The school systems affected required new courses of study, new and better instructional materials, more comprehensive guidance and counseling programs, and the services of teacher aides to help relieve the teaching load. Without the funds to pay for the needed changes, school districts faced the possibilities of a deterioration in the quality of education, loss of community support, and even resegregation in some instances.

When the Emergency School Assistance Program was approved on August 18, 1970, the Department of Health, Education, and Welfare acted promptly to set it in motion. Working through its Regional Offices, HEW officials in Washington arranged for conferences in those States in which school districts might qualify for funds. State school officials and district school superintendents who attended the conferences were provided with program information and help with the procedures to be followed in making applications for funds. Time was of the essence if school districts were to have the funds for the 1970-71 school year.

Although funds were allocated to the States on the basis of minority group enrollment, it was the responsibility of the HEW Regional Offices to set up processing procedures and make the grant awards to the individual school districts.

The HEW Office for Civil Rights and OE Division of Equal Educational Opportunities cooperated in reviewing applications. In making the pre-grant reviews OCR assumed the responsibility for certifying the eligibility of applicant districts and for reviewing their compliance with civil rights related assurances required by the regulations. Under Title VI of the Civil Rights Act, OCR had already negotiated compliance plans with a great many of the applicant districts. It also consulted with the Department of Justice regarding the status of districts which were under court order at that time. If a district appeared to be disqualified because of alleged transactions with discriminatory private schools, OCR sought additional information for evaluation or a statement in writing from the LEA clarifying the situation. A district which allegedly operated segregated classrooms was asked to explain its student assignment plan, confirming or denying the alleged discrimination. If it were determined that the district could not meet its requirements under ESAP I, OCR notified the district in writing. If the district did not respond or responded unsatisfactorily to this notification, a formal and final rejection letter was sent by OCR.

The OCR and EEO Regional Office staff were responsible for insuring that a copy of a court order or voluntary plan for desegregation accompanied the application, that the applicant had submitted an assurance of compliance and was in compliance with the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964, that the district had entered the terminal phase of its desegregation plan within the time limitations required by ESAP regulations, and that the assurances had been signed.

The response of HEW Regional Office staff to the need for swift implementation of the emergency assistance program is reflected in the number of grants that were made within certain time spans. By September 18, one month after ESAP I was approved, 301 districts had been awarded about $17.2 million. Eight hundred and seventy five districts had received grants totaling approximately $62 million by December 10. By the end of the fiscal year through reallotment procedures 900 districts had received $62.9 million. The remainder of the $75 million appropriation for ESAP I was used for community grants and for administrative costs.

The ESAP regulations called for the consideration of four criteria in determining whether to provide assistance and in fixing the amount of the grant:

1. the applicant's relative need for assistance;
2. the relative promise of the project or projects;
3. the extent to which the proposed project dealt comprehensively with problems faced by the local education agency in achieving and maintaining a desegregated school system; and
4. the amount of funds available in relation to the number of pending applications.

The regulations required that the applicant district:

1. set forth a comprehensive statement of the problems faced by that agency in achieving and maintaining a desegregated school system, including a comprehensive assessment of the needs of the children in such agency;
2. describe one or more activities that are designed to comprehensively and effectively meet such problems with assistance requested under the program;

3. provide for effective procedures for evaluation; and

4. give assurances that:

   a) it would use funds made available only to supplement, not to supplant, funds which were available to it from non-Federal sources for purposes which meet the requirements of the program;

   b) it would make a reasonable effort to utilize other Federal funds available to meet the needs of children;

   c) it had not engaged and would not engage in the transfer of property or services to any nonpublic school or school system which, at the time of transfer, practices racial discrimination;

   d) it would not discriminate in the hiring, assigning, promoting, paying, demoting, or dismissing of teachers and other professional staff who work directly with children or who work on the administrative level on the basis of their being members of minority groups;

   e) it would take effective action to ensure that the assignment of teachers and other staff who work directly with children would be made so that the ratio of minority to nonminority teachers and staff in such school would be substantially the same as the ratio in the entire school system;

   f) it would not employ any discriminatory practices or procedures, including testing, in the assignment of children to classes or in carrying out other school activities; and

   g) it would have the terms and provisions of the approved project published in a local newspaper of general circulation within thirty days of such approval.

To make sure that community interests would be represented in the program each grantee district was required to establish a biracial advisory committee if one did not already exist as the result of a Federal or State court desegregation order.

If the committee had been formed under a court order, it was given five days to review and comment upon the application before it was submitted. If there were no court order, the applicant district was responsible for selecting at least five but not more than fifteen organizations broadly representative of the minority and nonminority communities to be served. Each organization could appoint one member. The district would then appoint the additional members necessary to establish a committee composed of equal numbers of minority and nonminority members. At least half of the members appointed had to be parents whose children would be affected by the project.

The school district was given 30 days after the approval of the project to set up the biracial advisory committee. After its establishment the committee had to be consulted regarding policy matters incident to the administration and operation of the project. The regulations also required that the names of the members of the biracial advisory committee be made public.

The applicant district was also required to submit an assurance that it would organize a student advisory committee in each secondary school involved in the project. This committee was to be composed of an equal number of minority and nonminority children selected by the student body. The district was required to consult with the student advisory committee especially in matters relating to student affairs.

A precedent was set when ten percent of the ESAP I funds ($7.5 million) was reserved for community grants. The program first operated through the office of the Secretary of HEW but was later transferred to the Office of Education as the Community Groups ESAP Office. By the time the community grants program could be implemented, most of the other ninety percent of ESAP funds had already been committed.

By October, 1970 information conferences had been set up in the Atlanta and Dallas Regional Offices for representatives of community agencies. An initial November 30 deadline for receiving community group applications was set. As usual, eligibility had to be determined and assurances signed. Local school districts were asked to review and comment on the community grant proposal. The review panels to judge the merits of the applications were composed of staff from HEW and other Federal agencies.

Two categories of community group applications were designated:

Type A. . . those designed to affect more than one school district

Type B. . . those concerned with specific problems within a single school district.

Type B applications were far more numerous than Type A. The actual funding of these projects did not begin until March, 1971, and all of the projects were in operation by September, 1971.

Each community group applicant was required to identify the needs it hoped to meet. An OE Handbook for Public and Private Non-Profit Organizations, Emergency School Assistance Program listed the following kinds of project activities that might be funded:

Community Relations and Information Projects

Compensatory/Remedial

Parent Involvement

Student and Youth Projects

Interracial Education

Training and Technical Assistance

Activities Linked to Comprehensive Planning

In addition, OE Guidelines for Student Groups, a supplementary manual, outlined a series of proposed curricular and extracurricular activities for student and youth projects.

The Regional Offices fulfilled a major monitoring obligation. Less than two months after the first ESAP grants were made, program officers from the

Division of Equal Educational Opportunities began their first on-site reviews and provided the necessary technical assistance. By April 23, 1971 EEO had completed on-site reviews of 350 grants, and by June 30 all 900 LEA grants had been reviewed. On-going technical assistance was also provided by university centers and State education agencies.

For districts suspected of using grant funds improperly, an HEW fiscal audit was requested. In addition, the Office for Civil Rights conducted 172 compliance reviews. From this information, plus data from other reports required by OCR, notices of intent to terminate the grant were sent to 71 ESAP I grantees. Of this number, 35 districts met compliance requirements immediately. In the remaining 36 instances the cases went to hearing. The initial or final orders required termination in about half the decided cases and denied it in the remainder.

CHAPTER III

ESAP I PROGRAM CHARACTERISTICS

I. Types of Activities

The purpose of the Emergency School Assistance Program was to meet the "special needs. . . incident to the elimination of racial segregation and discrimination among students and faculty in elementary and secondary schools." It was designed to support five general types of activities:

1. special community programs designed to assist school systems to implement desegregation plans;
2. special pupil personnel services designed to assist in maintaining quality education during the desegregation process;
3. special curriculum revision programs and special teacher preparation programs required to meet the needs of a desegregated student body;
4. special student-to-student programs designed to assist students in opening up channels of communication concerning problems incident to desegregation; and
5. special comprehensive planning and logistical support designed to assist in implementing a desegregation plan.

The regulations also authorized assistance for other special projects which the Commissioner of Education determined would meet the purpose of the program.

The ESAP application form for local educational agencies categorized budget requests according to seven different types of activities. In addition to the five general categories listed above, a distinction was made between curriculum revision programs and teacher preparation activities. An additional category was used to cover all other types of programs.

A total of $62, 349, 254 was budgeted for these different types of activities. The Allocation of ESAP I/LEA Funds by Level of Activity is shown in Table I (Page 14).

LEA's most frequently applied for Teacher Preparation Programs which accounted for $15, 099, 260. 70 or approximately 24. 2% of the total funds awarded to local educational agencies. Special Student-to-Student Programs received the least amount of funds -- only $1, 785, 734. 38 or 2. 9% of the total funds awarded.

The types of activities supported by ESAP I funds are described in detail in Table II: RMC Taxonomy of ESAP I/LEA Activities (pages 15-17). The taxonomy is part of an evaluation study of ESAP I/LEA projects conducted by the Resource Management Corporation (RMC) of Bethesda, Maryland.

TABLE I - ALLOCATION OF ESAP I/LEA FUNDS BY ACTIVITY

	Activity	Total	Percent
1.	Special Community Programs	$ 6,505,859.00	11
2.	Special Pupil Personnel Services	10,822,060.74	18
3.	Special Curriculum Revision Programs	14,366,228.11	23
4.	Teacher Preparation Programs	15,099,260.70	24
5.	Special Student-to-Student Programs	1,785,734.38	3
6.	Special Comprehensive Planning	9,278,528.00	14
7.	Other	4,491,583.07	7
	Total	$62,349,254.00*	100

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*Figure does not include approximately $643,979 in supplemental awards and awards made after reallocation of uncommitted funds among States.

TABLE II: RMC TAXONOMY OF ESAP I/LEA ACTIVITIES

Common Code Identification No.	Activity Title	Definition	Estimated No. Funded	Estimated Average Size of Grant	Types of Activities Funded	Percent
1	Personal Community Activities	These activities were aimed at promoting understanding. They usually indicated that there was a personal, i.e., one-to-one contact, between the school and the community.	104 ± 27	$26K	School-Home Coordinators School-Home Visitations School-Community Relations Other	40 35 15 10
2	Non-Personal Community Activities	These activities were aimed at promoting information. They usually involved the use of media or lectures to affect contact with the community.	199 ± 44	$13K	Public Relations and Information Advisory Committee Support Newspapers, Newsletter, Bulletins TV, Radio, or Film Shows Adult Education Other	35 20 20 10 5
3	Counseling	These activities made specific mention of counselors. The counseling was not with regard to classwork.	100 ± 34	$20K	Guidance Counselor Counselor Other Counselors Other	45 35 15 5
4	Counseling Support	These activities made mention of supportive assistance to counselors. The support was in non-classwork areas.	201 ± 57	$14K	Counselor Aide Nurse/Attendance Officer Coordinator-Disciplinarian Testing Buildings or Materials Psychological Support Consultants Other	20 20 15 10 10 10 10 5
5	Ethnic Classes and Materials	These activities made specific mention of ethnic classes or materials.	105 ± 36	$17K	Materials Specific Classes Develop New Courses Specialists	50 20 15 5
6	Non-Ethnic-Classes and Materials	These activities made no mention of ethnicity.	320 ± 60	$21K	Materials, Supplies, Equipment Curriculum Revision or Plans for Revision Specific Courses Audio-Visual Materials & Equipment Other	40 25 20 10 5

TABLE II: RMC TAXONOMY (cont'd)

Common Code Identification No.	Activity Title	Definition	Estimated No. Funded	Estimated Average Size of Grant	Types of Activities Funded	Percent
7	Teacher Training	These activities undertook to train or consult with teachers.	301 ± 51	$24K	In-Service Training Workshops and Seminars Other Training Counseling and Consultants Other	55 20 10 5 10
8	Teacher Aide and Support Personnel	These activities provided either support or substitution for teachers.	460 ± 59	$27K	Teacher Aides Teachers Other Aides and Assistants Other	70 20 10 --
9	Student-to-Student Activities	These activities provided means for students to get together out of the classroom but within the auspices of the school.	224 ± 60	$8K	Clubs, Committees Special Assemblies, Trips Courses or Discussion Groups Student Tutors Band Recreation Programs Newspaper Others	25 20 15 10 10 10 5 5
10	Busing	These activities had to do with transportation in general.	103 ± 35	$23K	Purchase of Bus Use of Bus (extra-curricular) Drivers Aides, Supervisors Route Studies	40 20 15 15 10
11	Remedial Education Personnel	These activities mentioned specific types of personnel who provided the remedial education.	113 ± 34	$17K	Teachers Tutorial Services Specific Classes Other Personnel	55 25 15 5
12	Remedial Education Programs and Materials	These activities mentioned personnel and/or materials as the providers of remedial education. Often a package of personnel and material was called a program.	206 ± 56	$23K	Remedial Programs Materials Reading Labs and Equipment Others	50 30 15 5

TABLE II: RMC TAXONOMY (cont'd)

Common Code Identification No.	Activity Title	Definition	Estimated No. Funded	Estimated Average Size of Grant	Types of Activities Funded	Percent
13	Comprehensive Planning	These activities related to planning only. No purchases or hirings were included.	63 ± 22	$12K	Planning Studies	90 10
14	Administrative Personnel	These activities covered the hiring or employment of persons not coded elsewhere.	144 ± 37	$14K	Clerks, Typists, Aides General Help or Assistance in Administration of ESAP Other Personnel Other Services	35 35 25 5
15	Materials	These activities covered the purchase of materials or equipment not coded elsewhere.	223 ± 61	$10K	Equipment, Materials, and Supplies Specific Items Books Centralize Services	50 35 10 5
16	Facilities Improvement	These activities covered the purchase, expansion or renovation of facilities.	303 ± 56	$19K	Portable of Mobile Classrooms Renovation Expand or Improve Build	55 30 10 5
17	Others	These activities were those which could not be coded elsewhere or which were described too vaguely for categorization.	56 ± 29	$15K	There were 20 widely different activities listed.	

The RMC study found that a typical LEA supported three or four different ESAP activities with a maximum range up to twenty-five. It concluded that teacher aide support was the most predominant activity accounting for almost 20% of the project funds awarded.

Grants awarded to public or nonprofit private agencies, organizations, or institutions other than local educational agencies accounted for approximately 10% of the ESAP project funds allotted to each State. Because of the relatively wide range of organizations eligible to apply for these funds, the types of authorized activities were not categorized on the application form. The requirement was to focus upon a specific goal which would assist in the desegregation plans of one or more eligible local educational agencies. The exact nature of individual projects varied with the type of organizational funding, the geographical scope of the stated objectives, and specific local situations. Among the more popular activities supported under ESAP/CG grants were community based tutorial programs, information programs designed to increase support for desegregated public school systems, and projects focused upon increasing interpersonal communications and improving race relations in general.

II. Geographical Distribution of Projects

ESAP funds were allotted to the States according to the relative number of minority group children attending school in local educational agencies implementing suitable desegregation plans. A large proportion of these funds supported projects in eleven States in the South and Southeast. The Allocation of ESAP I/LEA Grants by State is shown in Table III (page 19). Georgia had the largest number of local educational agencies funded in any single State (149) while Texas received the largest State allocation ($8, 026, 875).

The Dade County School District (Florida) received the largest single ESAP grant awarded to a local educational agency ($2, 121, 905). Watertown (16) Special School District (Tennessee) received the smallest ($800).

The Size Distribution of ESAP I Grants to Local Educational Agencies by State according to total funds awarded is shown in Table IV (page 20).

Grants awarded to public or nonprofit private organizations under the ESAP/Community Groups Program were concentrated to a considerable extent in the same eleven States of the South and Southeast. The Geographical Distribution of ESAP I Grants to Community Groups is shown in Table V (page 21).

The largest single ESAP/CG award was made to the Texans for the Educational Advancement of Mexican Americans ($293, 694) for a project designed to operate in several different communities throughout Texas. The smallest ESAP/CG grant ($3, 463) was made to the Student Dramatics Club of Bowman High School in Wadesboro, North Carolina. The Size Distribution of ESAP I Grants to Community Groups is shown in Table VI (page 22). Most of the largest ESAP/CG grants were awarded to institutions of higher learning.

III. Reviews and Reports

A number of independent reviews and evaluations of various facets of the Emergency School Assistance Program (ESAP I) were conducted both by OE-contracted agencies and by other interested agencies or private organizations. The five most significant studies were initiated by the

TABLE III: ALLOCATION OF ESAP I LEA GRANTS BY STATE

STATE	NUMBER OF DISTRICTS FUNDED	TOTAL AMOUNT OF FUNDED DISTRICTS	PERCENT OF TOTAL FUNDS AWARDED
Alabama	70	$5, 115, 008	8. 1
Arkansas	82	$1, 980, 579	3. 1
California	2	$ 344, 835	0. 5
Florida	56	$7, 326, 565	11. 6
Georgia	149	$7, 016, 134	11. 1
Illinois	2	$ 47, 960	0. 1
Kentucky	4	$ 106, 257	0. 2
Louisiana	43	$6, 531, 663	10. 4
Maryland	4	$ 810, 040	1. 3
Mississippi	94	$5, 116, 225	8. 1
Missouri	2	$ 86, 560	0. 1
New Jersey	5	$ 171, 245	0. 3
North Carolina	89	$6, 921, 648	11. 0
Oklahoma	10	$ 266, 837	0. 4
Pennsylvania	9	$ 448, 114	0. 7
South Carolina	74	$4, 895, 700	7. 8
Tennessee	38	$3, 254, 665	5. 2
Texas	108	$8, 026, 875	12. 7
Virginia	57	$4, 473, 120	7. 2
Virgin Islands	1	$ 45, 000	0. 1
West Virginia	1	$ 8, 203	0. 0
Total	900	$62, 993, 233	100. 0

TABLE IV

SIZE DISTRIBUTION OF ESAP I GRANTS TO LOCAL EDUCATIONAL AGENCIES BY STATE

Size of Grant

State	Under $50, 000	$50, 000-$99, 999	$100, 000-$499, 999	$500, 000 Or over	Total
Alabama	35	25	9	1	70
Arkansas	72	7	3	0	82
California	0	0	2	0	2
Florida	33	8	12	3	56
Georgia	123	19	6	1	149
Illinois	2	0	0	0	2
Kentucky	3	1	0	0	4
Louisiana	16	14	11	2	43
Maryland	1	0	2	1	4
Mississippi	66	21	6	1	94
Missouri	1	1	0	0	2
New Jersey	4	1	0	0	5
North Carolina	43	25	20	1	89
Oklahoma	8	2	0	0	10
Pennsylvania	4	5	0	0	9
South Carolina	40	21	13	0	74
Tennessee	28	6	2	2	38
Texas	76	19	11	2	108
Virginia	29	18	9	1	57
Virgin Islands	1	0	0	0	1
West Virginia	1	0	0	0	1
TOTAL	586	193	106	15	900

TABLE V: GEOGRAPHICAL DISTRIBUTION OF ESAP I GRANTS TO COMMUNITY GROUPS

State	No. Projects	Total Awarded	Percent Total Funds Awarded
Regional Grants (multi-St)	3	$ 482, 310	6. 7
Alabama	12	544, 827	7. 5
Arkansas	5	199, 185	2. 8
Colorado	2	68, 296	0. 9
Florida	17	872, 174	12. 1
Georgia	19	713, 800	9. 9
Kentucky	1	31, 117	0. 4
Louisiana	14	737, 219	10. 2
Maryland	2	90, 004	1. 2
Mississippi	15	634, 318	8. 8
New Jersey	1	45, 697	0. 6
North Carolina	16	734, 944	10. 2
Oklahoma	1	29, 649	0. 4
Pennsylvania	2	52, 884	0. 7
South Carolina	8	368, 600	5. 1
Tennessee	7	354, 950	4. 9
Texas	14	891, 875	12. 4
Virginia	5	364, 746	5. 1
TOTAL	144	$7, 216, 595	100. 0

TABLE VI: SIZE DISTRIBUTION OF ESAP I GRANTS TO COMMUNITY GROUPS

Size of Budget

State	Less than $25,000	$25,000-$49,999	$50,000-$74,999	$75,000-$99,999	$100,000 & over	Total
Regional Grants (multi-St.)	0	0	1	0	2	3
Alabama	3	3	5	1	0	12
Arkansas	0	4	0	1	0	5
Colorado	0	2	0	0	0	2
Florida	4	7	2	1	3	17
Georgia	10	3	4	1	1	19
Kentucky	0	1	0	0	0	1
Louisiana	5	4	3	1	1	14
Maryland	0	2	0	0	0	2
Mississippi	5	5	4	0	1	15
New Jersey	0	1	0	0	0	1
North Carolina	7	2	3	4	0	16
Oklahoma	0	1	0	0	0	1
Pennsylvania	0	2	0	0	0	2
South Carolina	3	2	1	1	1	8
Tennessee	1	3	2	0	1	7
Texas	4	6	1	0	3	14
Virginia	0	1	3	0	1	5
TOTAL	42	49	29	10	14	144

Washington Research Project, General Accounting Office, Resource Management Corporation, Southern Education Foundation and Kirschner Associates.

Washington Research Project Report

On November 29, 1970 six civil rights organizations issued a report entitled The Emergency School Assistance Program: An Evaluation. It was based on reviews of the grant proposals of approximately 350 successful applicant districts and on personal visits to nearly 300 school districts receiving ESAP grants.

The Washington Research Project study reported that "Funds... appropriated by the Congress... to help desegregate public schools have been used for general aid purposes... unrelated to desegregation" and that "in many instances funds have been granted to school districts... continuing to discriminate against black children."

While it is true that a variety of educational programs could be supported under ESAP I, it is also true that each applicant district was required to define its needs for support in light of problems incident to desegregation. Thus, the use of ESAP funds by each grantee district was contingent upon predetermined existence of educational problems and not upon a simple requirement for additional general support funds.

Specifically, the report claimed that there were 477 "clear" or "questionable" violations of civil rights regulations and assurances identified during onsite reviews of districts receiving ESAP funds.

Because the DHEW Office for Civil Rights requires findings legally sufficient to warrant formal enforcement proceedings before concluding that a given practice constitutes a "clear" violation of civil rights compliance requirements, it was not possible to confirm or take action on many of the allegations contained in the WRP report. Staff limitations also prevented OCR from visiting every district involved.

However, despite the differences between the report's approach and the more exacting approach required of Federal agencies, the Washington Research Project Report in general served as a valuable tool to confirm findings made by Federal program officers and in many cases to draw attention to specific allegations in specific districts.

The General Accounting Office Report

In late November, 1970 the Senate Select Committee on Equal Educational Opportunity requested the General Accounting Office to review the implementation of the Emergency School Assistance Program. In addition to requesting a review of the administrative processes established by DHEW, the committee specified that 50 projects -- both large and small grants -- should be selected for review and should include at least one project from every State to which ESAP funds were allocated.

The first phase of the GAO report covering DHEW administrative procedures was released on March 5, 1971. The second phase covering individual district reviews was released on September 29, 1971.

The report identified a number of procedural weaknesses which GAO had found in the ESAP grant approval process. Most of the criticism related to the amount of information obtained from the applicant school districts prior to the final decision. GAO recommended that HEW institute a strong monitoring program to ensure that grant funds would be used solely for program purposes and not for general educational assistance.

The extreme urgency with which the distribution of ESAP funds to desegregating school districts was made undoubtedly resulted in a number of procedural weaknesses which could have been avoided in the course of a more time consuming process. In the case of ESAP I the risk of potential funding errors had to be measured against the urgent needs of desegregating school districts.

In evaluating the administration of the ESAP I program it should be kept in mind that although mistakes were made much was attempted and much was accomplished in a short period of time in order to provide school districts with the emergency funds when they were most needed to meet the critical problems of school desegregation.

As a matter of policy, DHEW is committed to a continuing review of all projects funded under ESAP. The GAO recommendations were acceptable to the OE program administration and were taken into consideration in the further implementation of ESAP programs. (See Implementation of GAO Recommendations, Chapter IV, pages 31-32).

Resource Management Corporation Report

The Office of Education contracted with Resource Management Corporation of Bethesda, Maryland to evaluate the ESAP I program as it related to grants to local educational agencies. Its basic purpose was to examine the effectiveness of ESAP in improving the racial climate of schools. Other objectives were to examine the targeting of ESAP funds, the limitations of local project management, and the utility of Federal technical assistance.

The evaluation focused on a random sample of 252 ESAP I school districts located in fourteen southern States. The most significant findings were:

- that there was strong evidence that the racial climate improved in many respects during the 1970-71 school year and rarely became worse
- that ESAP activities found effective in improving the school racial climate were counseling, counseling support, student programs, and remedial programs and materials.

The RMC evaluation found that ESAP-funded teacher training activities were ineffective in contributing to improvements in school racial climate while twelve other activities appeared to have little or no effect. It concluded that an overall assessment of the ESAP program was difficult to make due to the absence of control groups in the evaluation design.

. The four effective activities constituted only 23 percent of all ESAP activities. More money was spent on one ineffective activity than all four effective activities combined.

. School districts receiving ESAP grants were undergoing considerable desegregation, although many individual schools receiving ESAP funds were not newly desegregating.

Southern Education Foundation Report

In November 1971 the Southern Education Foundation of Atlanta, Georgia issued a report on the ESAP Community Grants Program. This report, entitled Emergency School Assistance Program Community Grants: A Preliminary Report, surveyed in detail some 16 non-LEA projects funded under ESAP I. However, it was not intended to be a comprehensive evaluation of the entire program since the projects surveyed were concentrated in only five States.

The SEF report found that one important and favorable characteristic of the ESAP/CG program was that the grantees addressed areas of need which few other groups -- school systems or other established agencies -- had ever attempted to serve. The report was somewhat critical regarding the type of technical assistance provided to ESAP/CG grantees and referred to the relatively high percentage of grants which were made to professional groups. However, it concluded that the program as a whole demonstrated great promise.

Kirschner Associates Report

The Office of Education contracted with Kirschner Associates of New York, New York to evaluate the ESAP I program as it related to grants to groups other than local educational agencies (ESAP/CG grants). It focused upon a total of 35 of the funded projects. Because of the relatively late funding of many of the ESAP/CG projects, only an interim report of the Kirschner evaluation is available at this time. Preliminary findings suggest that perhaps the most striking impact of the program has been the effectiveness of individual projects in stimulating positive attitudes toward school desegregation. A final report on this study will be issued in the late fall of 1972.

CHAPTER IV

ESAP II ADMINISTRATION: JULY 1971 TO THE PRESENT

The first Emergency School Assistance Program (ESAP I) was established in August, 1970 as an interim measure in anticipation of Congressional action on the President's Emergency School Aid Act which he had sent to the Congress in May, 1970. The purpose of ESAP I was to provide emergency assistance to school districts implementing desegregation plans. Funds were allocated to meet the additional costs of new or expanded activities necessary to achieve desegregation.

The Supreme Court decision of April 20, 1971, in Swann vs. Charlotte-Mecklenburg Board of Education 401 U. S. 1 (1971) placed an additional desegregation requirement on many school districts.

To assist in meeting these additional requirements and because the proposed Emergency School Aid Act was still pending, Congress made funds available in the summer of 1971 by continuing resolution to allow for the expenditure of another $75 million (ESAP II) for the 1971-72 school year.

As in ESAP I, the program was designed to provide financial assistance to local educational agencies and to public or nonprofit private organizations. Plans for ESAP II provided for more cohesiveness in the implementation of the LEA and the community grant phases of the program.

Under ESAP II, up to 10 percent of the available funds were reserved for grants to public or nonprofit private organizations other than LEA's. Funds were provided to community groups because of their role in the process of school integration. In many communities organizations other than the LEA may be in a better position to carry out the kind of support activities which are essential to effective integration of the schools.

Using the eligibility criteria for ESAP I as a base, certain additional factors were added to ESAP II in order to make the second year program even more responsive to the needs of districts under immediate desegregation orders. A system of priorities was established, stemming from the date of the Swann decision, which afforded first consideration to those districts with new court orders or Title VI plans issued after April 20, 1971. Further details on this priority system are presented below.

Similarly, community grant applications were judged in light of the same set of priorities applicable to the LEA's. In this connection, grants were made to local chapters or outlets of national organizations. A clear and definable connection between the community grant applicant and a qualified LEA had to be established.

In ESAP II priority was also given to the projects sponsored by groups which had previously demonstrated effectiveness and genuine concern for making a real contribution toward desegregation efforts.

Eligibility

Under the ESAP II program, applicant school districts were classified under the three priority levels shown below. Community group applicants were similarly grouped, depending on the priority classification of the LEA with which the community grant application was associated.

Eligible for Consideration in August 1971 and Thereafter

Priority 1 - Districts required to take new or additional steps respecting desegregation pursuant to a court or Title VI order issued or modified on or after April 20, 1971 (the date is the date of the United States Supreme Court decision in the case of Swann vs. Charlotte-Mecklenburg).

Eligible for Consideration in September 1971 and Thereafter

Priority 2 - Districts required to take new or additional desegregation steps in 1971-72 although the Title VI plan or court order was issued prior to April 20, 1971.

Priority 3 - Districts which received ESAP grants prior to July 1, 1971, and now wish to apply for grants to continue meritorious programs.

These priorities were set forth in Section 181.3 (3) of the amended regulations. Copies of the regulations were made available in the offices of Chief State School Officers and the OE Regional Commissioners of Education and were mailed to potential applicants.

The ESAP funding process, under an entirely new grants management system, was divided into five cycles with funding announcements made at the end of each cycle. The first cycle or batch began on August 13, 1971 when the applications for funds from local educational agencies under Priority 1 only were submitted to the OE Regional Offices. The funding decision on the first batch was announced on August 27. Succeeding batches were announced at intervals through October 22, the date of the final announcement.

Each application was examined by the HEW Office for Civil Rights and the Office of General Counsel to assure that the districts had met all legal requirements of eligibility and civil rights compliance. Budgets were then reviewed jointly by OE contracting officers and program specialists. The budgets were adjusted to exclude unauthorized expenditures, excessive program costs, and cost items not related to solving the districts' desegregation problems.

Each application was also rated against four objective criteria developed from an analysis of the ESAP I program:

1. the number of minority students in a district
2. the percentage of minority students in a district
3. the number of students reassigned to reduce racial isolation
4. the percentage of a district's students reassigned

The educational activity rating portion of an application was reviewed and rated by a three member non-Federal panel. This rating was added to the other four ratings to obtain an overall rating.

The applications for each State were then ranked by the staff of the Office of Education in Washington, D. C. Funds were then awarded to the highest ranked districts on the basis of the adjusted budgets submitted by the OE Regional Offices until all funds for the batch were allocated.

Districts with very low ratings in comparison to other districts within the same State were not funded. Districts that were not funded but whose low educational activity ratings could possibly be improved were encouraged to resubmit their applications after technical assistance had been provided. The number and total amount of ESAP FY 1972 LEA Grants by State and priority category is shown in Table VII (page 29).

A list of activities which could be supported under ESAP II is shown in the Appendix: ESAP II/LEA Activities.

Community Groups

Under the 10 percent provision of ESAP II, funds for community group projects could be granted to any public or nonprofit private organization other than the local educational agency which was located in an eligible school district and submitted a proposal to reinforce and expand upon the process of desegregation in the public schools.

The kinds of community projects funded were those which were directed toward the specific needs of the individual community. Among them were programs which provided remedial and compensatory education, parent involvement activities, student and youth activities, community relations and information services, training and technical assistance for community leaders, and activities related to comprehensive educational planning.

Funding priorities were given to those projects:

- that were either interracial or intercultural or had a direct relationship to successful desegregation
- that demonstrated a unique capability to assist in the desegregation effort
- that were sponsored by organizations or individuals previously demonstrating ability and concern in promoting the desegregation effort
- that could serve as future models for other community groups seeking to make a substantial contribution to the desegregation effort.

Advisory Committees

In order that the community could share in the responsibility of the ESAP program and participate directly in solving some of the many problems, each grantee district was required to designate a biracial advisory committee unless one had already been established as a result of a previous Federal or State court order.

The school district was to designate at least five civic or community organizations which were broadly representative of the minority and nonminority communities to be served. Each organization would then select one member of the advisory committee.

TABLE VII: NUMBER AND TOTAL AMOUNT AWARDED OF ESAP FY 1972 LEA GRANTS, BY STATE AND PRIORITY CATEGORY

	Priority I	Priority II	Priority III	Total No. of Grants	Total Amount Awarded
Alabama	7	3	37	47	$ 4, 171, 681
Arkansas	7	0	26	33	2, 628, 953
California	2	1	1	4	2, 309, 268
Florida	7	0	7	14	7, 987, 500
Georgia	6	1	58	65	6, 939, 822
Illinois	0	0	1	1	25, 890
Kansas	1	0	0	1	332, 745
Kentucky	1	0	0	1	54, 086
Louisiana	7	0	17	24	4, 271, 021
Maryland	0	0	1	1	145, 127
Michigan	2	0	0	2	707, 139
Mississippi	11	1	25	37	4, 582, 694
New Jersey	0	0	1	1	48, 515
North Carolina	15	1	36	52	6, 995, 001
Oklahoma	2	0	3	5	764, 344
Pennsylvania	1	1	3	5	671, 472
South Carolina	7	1	41	49	5, 276, 911
Tennessee	3	2	13	18	3, 274, 809
Texas	15	0	48	63	6, 556, 579
Virginia	10	2	16	28	6, 084, 441
TOTALS	104	13	334	451	$63, 917, 998

The names of the members of the advisory committee were to be published in a newspaper of general circulation or otherwise made public prior to the submission of a district's application.

Amendments to a district's project could not be approved nor additional funds made available unless the biracial advisory committee had been given an opportunity to react to the proposed amendment and make recommendations.

Student Advisory Committees

The application of a school district was required to contain assurances that no later than 30 days after the opening of the 1971-72 academic school year (or after the approval of such application) a student advisory committee would be formed from secondary grade students in each school affected by the project. It was also required that each student committee should be composed of equal numbers of minority and nonminority groups in the affected school. The members of this committee were to be selected by the student body or the student government.

Biracial or Multiracial Advisory Committee (Community Groups)

Community Group organizations submitting ESAP projects were required to form advisory committees using the same procedures as those used by the local educational agencies.

The following organizations, if they exist in the district served by the LEA, should be among those invited to select members of the biracial or multiracial advisory committee:

1. Title I ESEA Advisory Committee
2. Community Action Agency or Head Start Program
3. Model Cities Agency
4. Parent-Teacher Association
5. NAACP, Urban League, or other civil rights or human relations organizations

The membership of the biracial advisory committee for Community Groups was required to meet two other standards:

(1) It had to include equal numbers of nonminority members as well as equal numbers of members from each significant minority group represented in the community. For example, in a school district containing white (other than Spanish-surnamed American), Negro, and Spanish-surnamed American communities, the committee had to consist of equal numbers of the three racial/ethnic groups.

(2) At least 50% of the members had to be parents of children directly affected by the district's desegregation plan or order.

In addition to the members selected by civic or community organizations, the school district was required to select the minimum number of additional members necessary to meet the two requirements listed above. For example, the civic or community organizations could have selected five persons all of whom were members of the district's significant minority groups and three of whom were parents of children directly affected by the desegregation plan. In this event the district would then be required to select five nonminority persons at least two of whom were parents of children affected by the plan.

Evaluation and Review

Each applicant for assistance under the ESAP II program gave assurance of cooperation with any evaluation conducted by the U. S. Commissioner of Education or his agent. Such an evaluation could be conducted on any project assisted under the ESAP program and would include a reasonable number of interviews with administrators, principals, teachers, and students.

Notification

The Commissioner notified the applicant of the approval, disapproval, or other disposition of his application. Also he would not approve an application for assistance pursuant to 181. 6 of the Act without first affording the appropriate State educational agency a reasonable opportunity to review and make recommendations with respect to the application.

Because of the nature of the program and because most local educational agencies had already determined their budgets for the 1971-72 school year, the Commissioner did not require an applicant to contribute to the costs of the project if the application was accompanied by an assurance that adequate resources were not available for that purpose.

Termination

Assistance under the program could be terminated in whole or in part if the Commissioner determined after affording the recipient reasonable notice and an opportunity for a full and fair hearing that the recipient had failed to carry out its approved project proposal in accordance with the applicable law and the terms of such assistance or had otherwise failed to comply with any law, regulation, assurance, term, or condition applicable to the program.

Implementation of GAO Recommendations

In the implementation of ESAP II the Office of Education instituted many improvements in procedure.

At the request of the Senate Select Committee on Equal Educational Opportunity in November 1970, the General Accounting Office (GAO) had reviewed the policies and procedures of the Department of Health, Education, and Welfare (DHEW) for approving grants of Federal funds to school districts to assist in the costs of meeting special problems arising from school desegregation (see Chapter III, pages 23-24).

In accordance with the Committee's request, GAO reviewed the approval procedures and grant management within 50 school districts. The 50 grants, which were made by five of the HEW regional offices, totaled some $14 million or about 25 percent of the approximately $55 million in grants made to 793 school districts under ESAP I as of November 13, 1970. The review was conducted at HEW headquarters in Washington, D. C. and at five HEW Regional Offices.

GAO reported that "school districts did not submit with their applications, nor did HEW regional offices obtain, sufficient information to enable a proper determination that the grants were made in accordance with program regulations or that the grants were in line with the purpose of the program." Further, the GAO review noted that the applications did not provide HEW with an adequate means to determine if project approvals were based upon consideration of such required factors as the applicants' needs for assistance, the relative potential of the projects, or the extent to which the projects dealt with the problems faced by the school districts in meeting the special needs of children incident to the elimination of racial discrimination.

Quite apart from the recommendations in the GAO report, experience gained in the development of ESAP I pointed toward the need for a number of changes and modifications in the regulations to be issued for the ESAP II program. These changes were primarily directed toward clarifying a number of relationships between the grantee and the Federal government and in providing guidance where none had before existed. The major modifications may be summarized as follows:

1. Eligibility requirements for local educational agencies were revised to incorporate standards set forth in the Swann decision.
2. More definitive language was required in the assurance given by the applicant that there had been no transfer of property or services to a private school which practiced discrimination in admissions or enrollment of students.
3. Fund allotment procedures were revised to provide for serial payments as required by the batching process discussed earlier in this chapter.
4. The roles of the local advisory committees and the student advisory committees were expanded and more clearly defined.
5. More explicit grant termination procedures were instituted - including provision for interim suspension of payments prior to hearing decisions. Appeals procedures were also expanded and clarified.
6. Program evaluation procedures were also expanded to clarify techniques available to the Commissioner in reviewing ESAP activities at the local level.

These modifications in the regulations in addition to the application priority system described earlier and the revised pregrant clearance procedures instituted by the Office for Civil Rights - all combined to make the ESAP II effort much more effective. For example, in ESAP II more than 80 applications were rejected either because of lack of eligibility or because the applicant was not in a position to give the required assurances. In turn, the number of termination proceedings which had to be initiated by the Department was reduced from 71 in the ESAP I program to 18 in ESAP II.

The revised application and budget statement not only has improved the program monitoring capability of the Office of Education but also has led to a more realistic understanding of program objectives by the grantee. This revision also enabled OE to establish the ESAP continuation program during a few days in July 1972 since a streamlined version of the 1971-72 document was used.

CHAPTER V

ESAP II PROGRAM CHARACTERISTICS

Since many of the projects funded under ESAP II (FY 1971-72) will not be completed until later in the year, this chapter of the report will focus primarily on programmatic aspects of the activities in progress. Evaluations and conclusions concerning program effectiveness will have to be delayed until the projects have ended. School systems involved should also be given an opportunity to assess the benefits of the program to determine if the objectives have been achieved. However, the general response from school officials has been favorable.

The ESAP II program was designed to meet specific financial needs of participating local school systems during 1971-72--an academic year when schools faced a critical period of change initiated by court rulings to eliminate racial segregation and discrimination among students and faculty in elementary and secondary schools. Federal support was thus concentrated in twenty States where the problems of desegregation had the greatest impact. Table VIII (page 34) shows ESAP II Grants: State Summary.

This financial assistance was necessary to help schools meet the requirements of change and to assist the 451 most critically affected school systems in the twenty States to articulate a program of quality multi-ethnic education.

ESAP II funded activities carried out by local educational agencies, community organizations, and institutions of higher education appear to have achieved a reasonable degree of success in assisting school districts to desegregate as well as in eliminating forms of discrimination on the basis of race, color, religion, or national origin.

Grants under ESAP II awarded to local educational agencies amounted to a total of $63, 917, 998. In the following description reference to the amounts of the grants will be identified only by percentages of the total funds awarded to local school systems for activities in each of the five major categories.

1. Special Community Programs. Of the 451 participating local school systems, 230 were awarded 12% of the obligated funds for special community programs. The funds were used by schools to facilitate community acceptance of the actual process of desegregation. In many school systems funds were used to employ advisory specialists to work in the school and/or community. They were involved in suppressing false rumors, in the preparation and dissemination of valid program information through the news media, and in the publication of newsletters describing school activities. Other activities consisted of information programs supported by committees of minority and non-minority members within the school community that provided a two-way channel of communication regarding sensitive and potential trouble spots.

The range of activities to promote understanding among students, school staff, parents, and community groups varied according to the unique needs of the specific school and community. An example is the Hillsborough County, Florida Special Community Program.

Of all the personnel available to the secondary schools under the Emergency School Assistance Program, the School-Community Specialists and Aides had the

TABLE VIII: ESAP II GRANTS: STATE SUMMARY

State	No. of grants	Total enrollment	No. of students reassigned	Amount requested	Amount awarded
Alabama	47	358, 482	111, 007	$ 11, 337, 942	$ 4, 171, 681
Arkansas	33	109, 740	37, 738	6, 119, 255	2, 628, 953
California	4	140, 382	49, 790	9, 131, 442	2, 309, 268
Florida	14	604, 593	140, 926	26, 046, 203	7, 987, 500
Georgia	65	362, 780	133, 906	11, 737, 664	9, 939, 822
Illinois	1	7, 614	2, 058	58, 569	25, 890
Kansas	1	61, 945	4, 500	534, 760	332, 745
Kentucky	1	5, 990	878	240, 065	54, 086
Louisiana	24	246, 702	72, 298	9, 780, 163. 93	4, 271, 021
Maryland	1	6, 616	117	732, 810	145, 127
Michigan	2	41, 092	14, 316	8, 966, 624	797, 139
Mississippi	38	172, 204	76, 212	10, 370, 604	4, 582, 694
New Jersey	1	1, 520	500	85, 015	48, 515
North Carolina	52	472, 572	156, 447	16, 080, 528	6, 995, 001
Oklahoma	5	96, 720	8, 159	1, 441, 367. 51	764, 344
Pennsylvania	5	24, 876	6, 157	1, 073, 354	671, 472
South Carolina	49	289, 998	106, 883	6, 439, 424	5, 276, 911
Tennessee	18	351, 548	58, 229	17, 085, 111	3, 274, 809
Texas	62	874, 423	85, 441	31, 580, 488	6, 556, 579
Virginia	28	331, 035	116, 232	12, 784, 745	6, 804, 441
TOTAL	451	4, 560, 832	1, 181, 794	$181, 626, 134. 44	$63, 917, 998

most far reaching effect. They were people with whom all students could relate and identify. This relationship was maintained through the biracial composition of the team. Some of their duties involved working with student groups---in particular with the student biracial advisory committee--- and counseling students who had encountered learning and emotional difficulties because of a desegregated setting.

The School-Community Specialists and Aides established and maintained a liaison system between the school and community through meetings in the community, meeting with parents, and through development of parent biracial discussion sessions.

In each secondary school the School-Community Specialist organized a student advisory committee according to ESAP guidelines. Frequent meetings were held with the committee for the purpose of listening to student grievances and making recommendations to the administration concerning activities to promote intercultural understanding. Criteria and qualifications for membership in student activities were examined so that no one group would be excluded.

2. Special Pupil Personnel Services. To assist in maintaining quality education during the desegregation process numerous activities in pupil personnel services were supported in 289 local school systems with an allocation of 20% of ESAP II funds.

School systems faced with a multitude of problems in social, attitudinal, and academic adjustment employed guidance personnel to work with children, teachers, and parents. For children not performing at grade level remediation or developmental programs were provided. Career counseling for minority as well as nonminority students supplemented the school services in achieving equal educational opportunity. This often necessitated community surveys by counselors to locate job opportunities for minorities in need of employment during the school year and after graduation. School systems often used ESAP II funds to employ special consultants to identify needs of children and to provide teachers and counselors with successful techniques for working with student problems in a desegregated setting.

The Pupil Personnel Services Program in Dorchester County, Maryland is an example of how one school system took advantage of the opportunities provided by ESAP II funds to improve the quality and equality of its educational process.

ESAP II funds provided for two Guidance Centers located at North Dorchester High School for potential dropout students or those on the verge of being expelled from school. These students were from economically and culturally deprived homes and had hostile reactions and attitudes toward school.

Each of the two Centers accommodated twenty students. A part-time director, a student activity coordinator, one teacher, three guidance aides, three instructional aides, and a home-school coordinator were employed to staff each Center.

The Centers provided a setting where racial-emotional-behavorial problems caused by past segregation could be remedied. Individualized and small group instruction was emphasized. The time of return to regular classes was determined by the success of each student. When these students returned to the regular classrooms, they were able to realize a new sense of purpose and achievement.

3. Special Curriculum Revision and Teacher Preparation Programs. Four hundred and one school systems received 47% of the ESAP II funds for use in this area. The greatest emphasis was placed upon updating curriculum, teacher training, and the introduction of new approaches to teaching necessitated by desegregation.

Through the support of ESAP II funds, school systems were involved in a wide range of activities to meet individual needs of children. Funds were used to individualize instruction and develop applicable materials for a desegregated setting. Innovative methods of instruction were also explored. Changing patterns of grouping for instruction caused the schools to take action to improve evaluation and assessment of student progress. The use of various instructional media including educational television was instituted. Inservice training of teachers in skills to promote greater understanding of attitudes and interpersonal relationships was emphasized. In the process of improving skills and instructional techniques, the local school systems also utilized the services of university staff and other consultants.

According to most school administrators and teachers, the employment and training of teacher aides and temporary teachers has greatly relieved classroom teachers of many duties that previously limited their professional services.

The Mobile, Alabama school system is an example of how these programs operated. Fifty-four schools with a total staff of 3,000 were involved.

As a result of desegregation it had become necessary for many teachers in Mobile to deal with a wider diversity of abilities than they had previously been accustomed to handling. Moreover, the current supply of individualized instructional materials was woefully inadequate and most teachers lacked the prerequisite understanding and skills to plan and implement these programs.

The major focus of the Mobile, Alabama school system was to enlist and organize the support of teachers in solving such problems. This was done in a variety of ways including establishment of a biracial steering committee in each school to identify and formulate plans to meet the specific needs of the school. A staff development program which operated system-wide and in individual schools was also implemented.

The biracial committees were instrumental in the selection of new individualized materials purchased with ESAP funds. They also helped to plan staff improvement programs in which teachers could share successful techniques for meeting instructional problems.

The objectives of the staff development program were to assist teachers through group processes to identify across racial and cultural barriers, to adopt new techniques, to exchange instructional materials and methods, and to maintain follow-up procedures for curriculum revision and dissemination of materials.

Workshops were held in which materials for local school inservice programs were demonstrated. A programmed workbook - "A Model of the Teaching Process" - was developed and made available to all teachers. Student groups were used in symposiums to acquaint teachers with student perception of the instructional program. Certain target schools were selected and established as "Lab" schools where teachers developed and demonstrated innovative materials. Teachers were provided with release time to work on curriculum revision materials and methods. In addition, outside consultants were used to provide special expertise for all phases of the curriculum revision effort.

4. Special Student-to-Student Programs. Five percent of the $63,917,998 total obligated funds for ESAP II was awarded to 166 local educational agencies for student-to-student programs. Grants were made in support of activities to assist school systems in opening channels of communications about problems incident to desegregation.

The programs included minority and nonminority students in planning extra-curricular activities. This was particularly pertinent in situations where the merging of schools resulted in a need to provide these opportunities for incoming groups of predominantly minority children.

Promoting mutual acceptance and understanding in school affairs such as student government and athletics was only part of the program. Minority and nonminority students were also involved in curriculum revision designed to promote and achieve a higher quality educational program.

The Human Relations Camp in Richmond, Virginia is an example of a student-to-student activity. The objective was to provide all fifth grade students with a quality integrated educational and human relations experience to help them develop skills and understanding for successful student interaction.

These fifth grade students and their teachers participated in a one-week human relations residential camp emphasizing environmental education.

Camp Hanover near Richmond was utilized for this activity. The camp staff conducted a pre-camp briefing in the classroom of each fifth grade prior to the week at camp. Following the camp experience an evaluation was conducted involving both children and teachers.

One evening of each camp week was set aside for parents to visit. Several OE Region III staff members who also visited the camp reported that the response of the parents to the camp activities was excellent.

Under ESAP II funding Camp Hanover was operated for fifth grade groups from October 1971 through May 1972.

5. Special Comprehensive Planning Programs and Other Specially Designed Projects. One hundred and eighty three local school districts obtained assistance in this area. Only about 7% of the total obligated ESAP II funds was used in this category in comparison to the 14% expended under ESAP I.

Activities in local school systems under this category ranged from employing additional administrative and clerical personnel to minor repairs and remodeling of existing facilities. A number of school systems used the funds to lease or purchase mobile or demountable classroom units.

In addition, 164 local school systems received assistance for specially designed projects which did not fall into any of the other categories. Grants for these projects made up 8% of the total ESAP II obligation.

An example of a significant project of this type involving private industry is located in the Farrell Area School District in Farrell, Pennsylvania. During the summer of 1971, increasing interracial tensions and polarization of the Sharon-Farrell steel mill communities in northwestern Pennsylvania sparked a joint effort by the Sharon Steel Company management and the Farrell Area School District to bring together white and black community-school leaders. The objective was to prevent the widespread acts of vandalism in the Farrell community from spilling over into Farrell schools and to open lines of communication between black and white school-community factions to reduce interracial polarization and isolation.

This joint planning resulted in implementation of marathon "Social Awareness" sessions. These sessions were financed jointly by Sharon Steel and the Farrell Area School District under ESAP I funding and were subsequently expanded under ESAP II.

The Farrell Area School District reports that this ESAP II project has created new channels of communication and understanding between black and white school-community factions. Steel company and school officials believe that it was instrumental in preventing outbreaks of violence during the past year. The program was of sufficient merit to warrant further support under ESAP II continuation authority through January, 1973.

SUMMARY

In addition to the regular Regional program reviews, selected ESAP II projects were monitored by a team of OE program officers coordinated by staff in the Regional Offices. The on-site visiting group was directed by the Regional program officer responsible for that specific project. Verbal recommendations on the progress of these programs were made at the close of the on-site team visit followed by a written statement to the superintendent of the local school system.

Since nearly all of the ESAP II projects are still in progress, final assessment cannot be made at this time. An evaluation of the entire program is being conducted by the National Opinion Research Center of Chicago, Illinois. The results of this study will be submitted as part of a future report on the Emergency School Aid Act.

CHAPTER VI

ESAP II CONTINUATION AND ESAA PROJECTION

On June 23, 1972 President Nixon signed into law the Education Amendments of 1972 (P. L. 92-318). By this time it appeared that funds for the Emergency School Aid Act (Title VII) would not be appropriated in time to allow for implementation of the program for the fall term of the 1972-73 school year.

In order to retain the services of some 8, 500 full-time and more than 4, 000 part-time experienced personnel and to insure continuity between ESAP II and the ESAA program, the President recommended that Congress temporarily extend the program under continuing resolution authority.

The Congress authorized this continuation on July 1, 1972. It provided eligible local educational agencies with support through January 31, 1973, at which time these same agencies can apply for support under ESAA.

The amended regulations for this continuation of ESAP II restricted eligibility to those grantees, either local educational agencies or community groups, which had received grants during June 1971 under ESAP I or under the ESAP II program. Further, each applicant was cleared by the appropriate Regional staff of the Office for Civil Rights. Those grants which had been terminated during 1971-72 or were suspended pending a hearing on termination procedures were not extended.

The expenditure categories under ESAP II continuation activities were limited to salaries of personnel, both full time and part time, plus requisite fringe benefits and minor related expenses. In this way limited funds could be stretched to maintain maximum personnel strength within the participating LEA's.

During July 1972 OE Regional staff worked with all applicant school districts and community groups to insure timely submission of applications based on necessary personnel requirements. On August 17, 1972 the Office of Education announced grants to 395 school districts and 96 Community Groups for $17. 2 million.

Fifteen ESAP II participants were determined to be ineligible because of compliance difficulties under civil rights related assurances. Also, some 50 districts were able to reprogram existing ESAP II funds and carry personnel through January 31, 1973 without additional funds. Fifty-four ESAP II community groups either had sufficient funds to continue or elected to terminate because program objectives had been reached. ESAP Continuation: Summary of Personnel and Funds by State is shown in Table IX (page 40).

TABLE IX: ESAP CONTINUATION: SUMMARY OF PERSONNEL AND FUNDS BY STATE

STATE	FULL-TIME PERSONS	PART-TIME PERSONS	GRANT AMOUNT
Alabama	874	239	$ 1, 356, 158
Arkansas	450	33	763, 176
California	291	24	836, 159
Florida	535	233	1, 744, 297
Georgia	1, 344	137	2, 469, 786
Illinois	1	0	1, 100
Indiana	7	12	30, 965
Kansas	5	3	3, 630
Kentucky	7	17	20, 115
Louisiana	618	142	882, 718. 71
Maryland	32	1	59, 398
Michigan	14	2	139, 328
Mississippi	585	102	1, 159, 176
New Jersey	4	1	----
North Carolina	1, 029	424	2, 399, 666
Oklahoma	120	64	332, 023
Pennsylvania	9	34	42, 875
South Carolina	914	959	1, 336, 381
Tennessee	364	852	887, 791
Virginia	588	535	1, 296, 362
Texas	749	414	1, 417, 825
West Virginia	-	-	----
TOTAL	8, 504	4, 228	$17, 178, 929. 71

ESAA Projection: Planning and Administrative Development

The purposes of the Emergency School Aid Act (ESAA), Title VII of the Education Amendments of 1972, are:

1. [illegible] meet the special needs incident to the elimination of minority group segregation and discrimination among students and faculty in elementary and secondary schools;
2. to encourage the voluntary elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority group students; and
3. to aid school children in overcoming the educational disadvantages of minority group isolation.

Congress authorized the expenditure of $1 billion for FY 1973 and $1 billion for FY 1974. At this time an appropriation to implement ESAA has not yet been made available.

The experience gained with the ESA Program, especially during the fall of 1971, has been most valuable to the Office of Education in planning for ESAA. OE's purpose is to develop plans in order to be ready for immediate implementation of the program when funds are appropriated by Congress.

Once ESAA was signed into law, conferences were held with various groups to enable DHEW to refine its plan for administering ESAA. OE/HEW staff met with Congressional staff members to review ESAA and obtain a clearer understanding of Congressional intent contained in the legislation. Meetings have been held with many community and educational groups to obtain recommendations from knowledgable people outside OE about drafting of regulations, guidelines, and application manuals. The regulations and guidelines for implementation of the Emergency School Aid Act are scheduled for publication in the Federal Register early in the fall of 1972.

At the heart of the ESAA program will be a comprehensive technical assistance component for eligible grantees provided by the Office of Education. It will focus on the development of sound management techniques and specific guidelines for identifying and defining the problems of the district in the elimination of minority group isolation. OE will also assist the school district or community group in developing effective program activities to meet the needs of students, faculty, and the community. Technical assistance of this quality will require extensive staff training and development. OE staff from Washington and the Regional Offices have met to discuss and develop tentative training and technical assistance models and materials based on ESAA objectives.

One of the key objectives of the technical assistance effort will be to develop the concept of accountability. Final overall program accountability to Congress and the Nation for program operation will be the responsibility of the Assistant Secretary of Education. The evaluation of this accountability will be conducted by independent agencies under contract as well as by the Office of Education. However, the accountability of the grant recipient to OE for program delivery must be an integral built-in part of the grant structure.

Program performance will be monitored at the local level through comprehensive management techniques such as HEW's Operational Planning System (OPS) which operates from the local to the national level. Such techniques are designed to reveal during the progress of the project whether grantees are meeting their program objectives.

Guidelines in the areas of accountability, measurement, and evaluation are being formulated in cooperation with various offices within HEW and OE with knowledge in program planning and evaluation and in data collection need requirements.

When the 15-member National Advisory Council on Equality of Educational Opportunity is announced, it will immediately become involved in all planning and review sessions.

If an appropriation for implementing ESAA is passed by Congress in the early fall of 1972, applications for the first grants could be processed in time to enable grantees to carry out programs during the second semester of the 1972-73 school year. Additional applications are scheduled to be received and funds awarded in the spring of 1973 to coincide with school district budget planning for program implementation in September 1973.

Conclusion

Seventeen years have elapsed between the Brown I and Swann decisions of the Supreme Court. The pace of school desegregation has alternately accelerated and slowed as the mood of the country has gradually shifted from one of general accommodation with *de jure* segregation to one which demanded an end for all time to this most basic flaw in the American system of free public education.

The precise role played by the Emergency School Assistance Program is still under examination. As with other movements of broad social change, some years must pass before education analysts and historians will be able to assess the full impact of these programs.

Nevertheless, the existence of *de jure* dual school systems is rapidly becoming a matter of history, and the transition to a unitary system of education in hundreds of communities has been accomplished in a peaceful manner without the disruptive elements of civil disorder predicted fifteen years ago.

But the achievement of a physically desegregated system is only part of the job. This initial success must be followed with renewed effort to the completion of the much larger task of assuring that quality integrated education is provided to every school age child in the Nation. It is to this broader task that subsequent reports on the Emergency School Aid Act of 1972 will be directed.

APPENDIX

ESAP II/LEA Activities

(1) Carrying out special community programs designed to assist school systems to implement desegregation plans:

  (a) promoting understanding among students, school staffs, parents, and community groups

  (b) conducting community information programs to provide information concerning desegregation

  (c) establishing and supporting committees consisting of minority and nonminority group members

  (d) conducting school-home visitation programs

  (e) conducting special parent programs designed to facilitate the implementation of the desegregation plans

(2) carrying out special pupil personnel services designed to assist in maintaining quality education during the desegregation process:

  (a) providing special guidance and counseling personnel with expertise in working with a desegregated student body

  (b) providing remedial and other services to meet special needs of children affected by desegregation

  (c) employing special consultants

(3) carrying out special curriculum revision programs and special teacher preparation programs required to meet the needs of children affected by desegregation:

  (a) designing and introducing new curricula that serve children from various ethnic backgrounds

  (b) developing new material and techniques for improved evaluation and assessment of student progress

  (c) carrying out special demonstration projects for the introduction of innovative instructional methodologies which would improve the quality of education in desegregated schools

  (d) providing for individualized instruction, team teaching, and nongraded programs

  (e) establishing inservice programs to assist teachers in dealing with children who have inadequate English language skills

  (f) promoting greater understanding of the attitudes and interpersonal relationships of students and teachers involved in the desegregation process

- (g) upgrading basic skills and instructional methodologies
- (h) mobilizing university and consultant expertise in developmental programs and seminars on problems incident to desegregation
- (i) providing temporary teachers whose employment would permit permanent teachers to participate in training related to desegregation
- (j) providing teacher aides whose employment would help improve instruction in schools affected by desegregation

(4) carrying out special student-to-student programs designed to assist students in opening up channels of communication concerning problems incident to desegregation:

- (a) promoting mutual acceptance
- (b) promoting greater understanding of racial peer pressures of students
- (c) assisting student groups to develop interracial understanding
- (d) involving groups consisting of minority and nonminority group students curriculum revision
- (e) assisting groups consisting of minority and nonminority group students to plan and conduct desegregated extracurricular activities

(5) carrying out special comprehensive planning and logistic support designed to assist in implementing a desegregation plan:

- (a) employing additional administrative and clerical personnel necessary for implementation of a plan
- (b) assisting in the rescheduling and reassignment of students and teachers and the redrawing of transportation routes
- (c) supervising necessary physical changes
- (d) minor repairing and minor remodeling of existing facilities and leasing or purchasing of mobile or demountable classroom units.

FEDERAL ASSISTANCE TO DESEGREGATING SCHOOL DISTRICTS

A Report on Activities from
April 1973 to September 1973

Emergency School Aid Act (Title VII, Public Law 92-318)
Emergency School Assistance Program (Public Law 91-380)

As Required Under Provisions of
Section 714, Title VII, Public Law 92-318

September 28, 1973

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Caspar W. Weinberger, Secretary
S. P. Marland, Jr., Assistant Secretary for Education

Office of Education
John Ottina, Commissioner

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FOREWORD

This is the third report to the Congress on activities and programs related to Federal Assistance to Desegregating School Districts which are administered by the Office of Education (OE) for the Assistant Secretary for Education of the U.S. Department of Health, Education, and Welfare (DHEW). Periodic reports are required under section 714 of the Emergency School Aid Act (ESAA) of 1972 (title VII of Public Law 92-318) regarding the implementation of programs under the act and the Emergency School Assistance Program (ESAP) (Public Law 91-380) which preceded it.

The first ESAA report, issued on September 23, 1972, covered the administration from August 1970 to September 1972 of the Emergency School Assistance Program, which served as an interim program to provide assistance to school districts facing critical and immediate needs in the desegregation process. This report also projected plans for the implementation of the Emergency School Aid Act, which became law on June 23, 1972.

The second ESAA report, issued on June 29, 1973, presented a review of the period from September 1972 to March 1973 and dealt with the developmental activities involved in designing policy objectives and program procedures for the administration of ESAA. The report described in detail the ESAA budget allocations and funding cycles, regionalized program administration and developmental assistance, and the preparation and dissemination of pre-grant materials to potential applicants. It also contained a compilation of all ESAA rules and regulations, application forms, general information documents, and management manuals.

This third report, of September 28, 1973, covers the period from April 1973 to September 1973. It deals with the actual implementation of the ESAA programs and lists all of the grants and contracts awarded in fiscal year 1973 during the first 6 months of funding from January 31, 1973, through June 30, 1973. The report describes the purpose of each of the eight program categories established by the act under which assistance is available and cites a specific example of a program which has been funded in each category and is currently being implemented.

ESAA OVERVIEW

> The Congress finds that the process of eliminating or preventing minority group isolation and improving the quality of education for all children often involves the expenditure of additional funds to which local educational agencies do not have access.
>
> Emergency School Aid Act
> Title VII, Public Law 92-318
> Section 702(a)

The Emergency School Aid Act was passed by the 92d Congress and signed into law by President Richard M. Nixon on June 23, 1972. Financial assistance was made available for the following purposes:

- To meet the special needs incident to the elimination of minority group segregation and discrimination among students and faculty in elementary and secondary schools.
- To encourage the voluntary elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority group students.
- To aid school children in overcoming the educational disadvantages of minority group isolation.

With the President's signature of the DHEW appropriations bill on October 31, 1972, a total of $228 million was made available for expenditure for ESAA in fiscal year 1973. These funds were allocated according to specific activity authorizations in the ESAA legislation. Eighty-two percent of the total ESAA appropriation was available for allocation among the States. The act allocates $75,000 to each State plus an additional amount based on its proportion of minority group children, with no State receiving a total allocation of less than $100,000. The remaining 18 percent was reserved for specific set aside programs and discretionary projects to be administered on a national basis.

Following is an analysis of the distribution of fiscal year 1973 funds by the amount and percentage appropriated for each of the eight categories:

Type of Activity	Appropriation Percentage	Appropriation Amount
*Basic Grants to Local Education Agencies (LEA's)	59	$134.5 million
*Pilot Projects	15	34.2
*Nonprofit Organizations	8	18.2
Metropolitan Area Projects	5	11.4
Bilingual/Bicultural Projects	4	9.1
**Educational Television	5	11.4
**Special Projects	3	6.9
Evaluation Contracts	1	2.3
	100	$228.0 million

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*Apportioned to the States.

**Allocations changed by regulation as permitted by ESAA to increase amount available for ETV grants.

During the funding period from January 31 through June 30, OE, with the cooperation of the DHEW Office for Civil Rights, processed nearly 2,000 ESAA applications including resubmittals. The eligibility of the applicants to receive assistance was determined by DHEW/OCR in accordance with requirements specified in section 706 of the act. Applications were evaluated by non-Federal review panels according to the selection criteria listed in section 710(c). They were then placed in priority rank with the highest scored applications receiving first consideration for available funds.

ESAA funds were distributed in three cycles or batches during the January-June funding period with a specific ceiling on the amount reserved for each batch. Applications which were not approved during the first batch could be revised and resubmitted in succeeding batches.

The first ESAA awards (Batch I) were announced on January 31 and totaled approximately $14 million. The awards were limited to Basic LEA Grants, Pilot Projects, and Nonprofit Organizations. These awards were 17-month grants which were distributed for immediate use beginning in the second semester of the 1972-73 school year. The remaining $180 million was distributed in Batches II and III, which were announced on April 20 and June 15 respectively. These awards were for 12-month grants and included Bilingual/Bicultural Projects. Awards for the other ESAA program categories were announced at various times throughout the funding period.

ESAA awards made in fiscal year 1973 during the January-June funding period numbered 908. Approximately $195 million was obligated out of the total authorization of $228 million. An ESAA funding summary for fiscal year 1973 by type of activity is shown below:

Type of Activity	*Appropriation	*Obligation	Number of Award
Basic LEA Grants	$134,485	$117,675	455
Pilot Projects	34,191	21,960	95
**Nonprofit Organizations	18,235	20,081	241
Metropolitan Area Projects	11,397	5,448	14
Bilingual/Bicultural Projects	9,117	8,888	39
Educational Television	11,397	11,366	5
Special Projects	6,838	6,834	56
Evaluation Contracts	2,280	2,280	3
Total	$227,940	$194,532	908

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*Amounts in thousands of dollars.

**Amount in excess of authorization made possible through reallocation.

Appendix A shows the total ESAA obligation for fiscal year 1973 by State or other area, and by type of activity. Comprehensive evaluations of the first 6 months of ESAA program operations are currently in progress.

In fiscal year 1973 a total of $149,547,238 was awarded to 598 local education agencies in the various program categories under which they were eligible to apply. To be eligible for assistance a local education agency must be implementing a desegregation plan or be implementing or have adopted and will implement if assistance is made available a plan for the elimination, reduction, or prevention of minority group isolation. A funding analysis of awards to local education agencies according to the type of plan under which the school district was declared eligible to receive funds is shown below. The appropriate eligibility requirements contained in the ESAA legislation are also cited.

Type of Plan	Number of LEA's	Percentage of Total Number of LEA's	Amount Obligated	Percentage of Total Obligation
Federal Court Order Sec. 706(a)(1)(A)(i)	300	50	$79,148,468	53
*Voluntary Plan Approved by DHEW under Title VI CRA 1964 Sec. 706(a)(1)(A)(ii)	168	28	26,050,684	17
Nonrequired Plan Sec. 706(a)(1)(B); (C)(i),(ii),(iii); (D)	107	18	35,668,186	24
State Court Order Sec. 706(a)(1)(A)(i)	23	4	8,679,900	6
Total	598	100	$149,547,238	100

---

*These plans were adopted by LEA's which were in violation of title VI of the Civil Rights Act of 1964.

Many applicant school districts were not funded in fiscal year 1973 because they did not satisfy the ESAA limitations on eligibility or quality standards. Approximately $33 million in unobligated funds was returned to the U.S. Treasury at the end of the fiscal year. Applications from 157 school districts for Basic LEA Grants, Pilot Projects, and Bilingual/Bicultural Projects totaling $52,292,269 were not approved for one of the following reasons:

ESAA Nonapproved Applications	Number of School Districts	Amount Requested
. LEA plan not eligible.	44	$ 6,317,064
. LEA did not satisfy limitations on eligibility.	31	24,169,706
. Educational quality of application rated too low as determined by ESAA criteria to merit funding.	63	18,350,512
. Need for assistance not justified as determined by ESAA criteria.	19	3,454,987
Total	157	$52,292,269

The low educational quality of the applications accounted for the greatest number of disapprovals: 63 rejections amounting to $18,350,512 or almost one-third of the total funds requested by unapproved applicants for these three categories.

At the time of the final preparation of this report, new procedures had gone into effect concerning waivers of ineligibility in cases involving discrimination in faculty assignments. The amendments to the ESAA regulations were published in the Federal Register on August 10, 1973, and became effective on August 16. Six local education agencies have submitted applications for waivers under the new waiver provisions. Final determination of this matter has not yet been made. A full discussion of the results will be presented in the next ESAA report to Congress.

CATEGORIES OF PROGRAM ACTIVITIES

The eight categories of program activities for which ESAA assistance is available are described below. An example of a current program which has been funded in each category is included. Tables containing the individual grant awards in each category are presented in appendixes B through I. The names of the grantees and the amounts awarded are listed by State and program area as applicable. The 17-month Batch I awards are indicated by an asterisk in the appropriate tables.

Basic Grants to Local Education Agencies (LEA's)

Basic LEA Grants totaling $117,675,085 were awarded to 455 school districts in fiscal year 1973. Appendix B identifies each grantee and the amount awarded by State. These grants may be awarded to any local education agency which is implementing a desegregation plan or is implementing or has adopted and will implement if assistance is made available a plan for the elimination, reduction, or prevention of minority group isolation. Project activities must address the needs directly related to the implementation of such a plan.

Example of a Current Program

An example of a Basic LEA Grant recipient is the Niagara School District (Niagara Falls, N.Y.), which was awarded $768,500 this year. Of the 16,734 students enrolled in the school district, 3,315 or 17 percent are members of minority groups.

This four-part program involves children in grades K-12 in a variety of educational activities. The reading/language arts component provides individualized instruction in the basic skills for each participating minority student in the target schools according to the student's ability and previous experience. The mathematics component focuses on improving achievement through a multimedia approach to individual interests and needs. Both of these component areas will be implemented in a rich learning environment containing a variety of materials and equipment and staffed with teachers who have acquired instructional techniques through an inservice development program geared to the educational problems of minority students.

The project also contains a career education component which is designed to provide the minority child with the knowledge, skills, and placement assistance necessary to pursue a higher education or to find employment. Training for teachers in career education and field trips for students to observe workers in 15 different career clusters are among the activities designed to expand the occupational awareness and aspirations of students. The guidance and counseling program focuses on development of self-awareness and self-direction. This component involves a strong community base including not only PTA groups but also the business, industrial, labor, governmental, and commercial sectors in Niagara Falls. Through emphasis on the career development theme in all subject areas, the program aims to make the schools more relevant and responsive to the needs of minority students and thus reduce their alienation and isolation in the educational system.

Finally, a human relations component will meet the special needs incident to districtwide desegregation in Niagara Falls. A human relations coordinator will assist in project coordination, inservice training, and curriculum development as well as in improving intergroup relations through programs based on the needs identified by school staff, students, parents, and the community.

Pilot Projects

A total of $21,959,809 was awarded for 95 Pilot Projects in fiscal year 1973. Appendix C identifies each grantee and the amount awarded by State. Pilot Project grants may be awarded for unusually promising projects designed to overcome the adverse effects of minority group isolation by improving the academic achievement of children in minority group isolated schools. In order to be eligible for a Pilot Project a local education agency must meet two requirements. First, it must be implementing either a desegregation plan or a plan for the reduction of minority group isolation which would make it eligible for a Basic LEA Grant. However, a local education agency need not apply for a Basic LEA Grant in order to be eligible for a Pilot Project. Second, it must also meet one of the following two requirements:

1. At least 15,000 minority group students must be enrolled in the schools of the LEA.

2. Minority group students must constitute more than 50 percent of the total enrollment of the LEA.

The Pilot Project component of ESAA supports experimentation and testing of promising projects in urbanized and/or majority-minority settings. The purpose of this program is to determine what activities are successful in these settings and to make the information available to other education agencies. Due to their experimental nature Pilot Projects must also reflect a high potential for replication either in other schools of the district or in schools outside the district.

Example of a Current Program

An award to the Pittsburgh (Pa.) Board of Education for $121,750 is an example of a Pilot Project funded under ESAA in fiscal year 1973. The project will serve elementary students from two schools in the Manchester section of Pittsburgh which has a large concentration of black children. Manchester is a geographically and racially isolated area which has had serious problems with vandalism and a high dropout rate.

An innovative learning environment has been created to help inner city children develop a desire to learn and to stimulate their cultural understanding. The project began with an intensive 8-week summer session which will be followed by biweekly afterschool sessions throughout the year to reinforce and continue the summer's learning. Activities are designed to meet learning objectives in four curriculum areas:

1. The reading experience focuses on phonetic and structural word analysis skills, vocabulary development, comprehension, and reading for pleasure.

2. Four specific listening skills are taught: attentive listening, appreciative listening, analytical listening, and marginal listening.

3. The mathematics experience utilizes individually prescribed instructional materials.

4. The language arts experience sequentially emphasizes oral and written language experiences.

Activities and materials in these areas reflect an integrated curriculum planned to engage the interest of the students. The listening component, for example, uses tapes of city sounds which are familiar and relevant to the children's background. The reading material includes black history, culture, and biographies. Teachers and graduate students from the University of Pittsburgh are developing additional curricular materials and instructional techniques.

The emphasis of the project is on freedom and flexibility. Each child is assigned to a high school or college student tutor. This supervision enables the child to experience new learning situations by moving from one location to another within the school or even outside the classroom. Thus the project is called the "Manchester Floating Classrooms Program." Each child is also responsible for developing a reading/learning contract based on his own needs which establishes the level of performance and skills which he will work to achieve. Through this goal-setting the student is actively involved in his own education.

An important goal of the Pilot Project is to enlist community involvement and support for school programs. Local media have been utilized to inform the public about the "Manchester Floating Classrooms Program" in order to increase community awareness of what is being done to improve educational opportunity and what more needs to be accomplished.

Nonprofit Organizations

In the Nonprofit Organizations category 241 grant awards totaling $20,081,176 were made in fiscal year 1973. Appendix D lists each grantee and the amount awarded by State. Under this category grants may be awarded to public or private nonprofit agencies or organizationsto carry out projects designed to support the development or implementation of an eligible LEA plan. Local education agencies are not eligible to apply for grants under this program. Nonpublic elementary and secondary schools which are nonprofit and nonsectarian in nature may apply for assistance in support of an eligible LEA plan and can receive up to one-half of the funds set aside for this category.

Example of a Current Program

An example of a nonprofit organization receiving an ESAA grant is the Community Development Committee, Inc., of Fort Valley, Ga., which was awarded $116,413 to develop a program in support of the desegregation plans of the Houston and Peach County boards of education. Among the objectives of the project are: (1) reduction of the dropout rate in Houston and Peach Counties by 30 percent, (2) reenrollment in the public school system of dropouts up to age 18, (3) reduction in the number of repeated suspensions by 50 percent, and (4) reduction of academic deficiencies in minority group isolated areas through a comprehensive program for 200 children in Peach County (grades 1-6). Numerous activities, including tutorial assistance in reading and mathematics, have been planned to accomplish these objectives.

Individual and group counseling involving both parents and children is being offered. Students and their parents are also referred to local human-service agencies for services supportive of the educational process. In addition, opportunities for interethnic experiences such as field trips, films, and lectures are provided to foster an understanding and appreciation of racial and cultural differences.

Another phase of the project aims to reduce expected academic deficiencies in minority group isolated areas through a comprehensive preschool education program for disadvantaged children ages 2-5. This program is being conducted in three community centers in Houston County.

Finally, the Community Development Committee is filling the need for formalized parent-teacher organizations in the two counties through the creation of PTA groups and by encouraging parents to become involved in all aspects of school activities.

Metropolitan Area Projects

Fourteen grants totaling $5,448,052 were awarded in fiscal year 1973 for Metropolitan Area Projects. Appendix E identifies each grantee and the amount awarded by program area. The Metropolitan Area Projects component of ESAA provides funds to school districts within or adjacent to a Standard Metropolitan Statistical Area (SMSA) to further the reduction, elimination, or prevention of minority group isolation. Three types of projects were funded:

- Interdistrict transfer grants were awarded to assist local education agencies located within or adjacent to a Standard Metropolitan Statistical Area (SMSA) in the transfer of minority group students for the purpose of establishing and maintaining integrated schools as defined in section 720(6) of the act.

- SMSA planning grants were awarded to groups of local education agencies within or adjacent to an SMSA for the joint development of plans to reduce or eliminate minority group isolation in all schools in the SMSA.
- Education park grants were awarded to local education agencies for the planning of integrated education parks at the secondary level.

Example of a Current Program

Lincoln Public Schools in Lincoln, Mass., received $745,691 for an interdistrict transfer grant. This grant represents the joint participation of five suburban school districts (Brookline, Needham, Newton, Wayland, and Weston) in a transfer program with the Boston Public Schools through METCO (Metropolitan Council for Educational Opportunity). METCO is a community organization supported by the Massachusetts State Department of Education which was organized to provide a quality integrated education for inner city and suburban children in the Boston metropolitan area.

The purpose of the grant is to offer all students in the receiving schools an educationally enriched curriculum. Approximately 600 minority group students from the inner city will attend suburban schools. Each school will develop a program based upon its own particular needs. However, all of the districts in the Lincoln project will implement some aspect of the following activities:

- teacher workshops designed to increase racial awareness
- guidance programs utilizing a variety of specialists to work with individual student problems
- career education programs in the junior and senior high schools to provide relevant vocational information
- tutorial services to provide individualized instruction
- a curriculum development component for teachers and auxiliary personnel to utilize new model curriculum materials about Afro-American and other ethnic groups
- a community participation and public education program to increase awareness of the project and acceptance of the interdistrict concept.

Bilingual/Bicultural Projects

A total of $8,888,013 was awarded for 39 Bilingual/Bicultural Projects in fiscal year 1973. Appendix F shows each grantee and the amount awarded by State. Bilingual/Bicultural Projects may be awarded to local education agencies for the purpose of developing or implementing bilingual/bicultural curriculums to aid in improving the reading, writing, and speaking skills of minority group children who are from environments in which the dominant language is not English. These projects are also designed to enhance mutual intercultural and interethnic understanding.

To receive a grant for a Bilingual/Bicultural Project a local education agency must be implementing an eligible plan and must meet the requirements for a Basic LEA Grant. In addition, it must show that minority group children do not have equal educational opportunity because of language and cultural differences. A nonprofit agency or organization may also be awarded direct assistance to develop bilingual/bicultural curriculums if it is specifically requested to do so by a local education agency which is implementing an eligible desegregation plan.

Example of a Current Program

The San Francisco Unified School District in California was awarded $318,611 for a Bilingual/Bicultural Project. In San Francisco, where 10,929 children or 28 percent of the enrollment are from non-English speaking backgrounds, only 2,376 of these children are currently receiving help from local and State sources. The ESAA project will involve 3,503 children (grades K-6) in four major language groupings: Spanish, Chinese, Filipino, and Japanese.

The San Francisco program is designed primarily to provide bilingual instruction in learning basic skills. Instruction will begin in the child's native language. Then the child will learn to transfer the skills he has acquired to the second language -- English. This transfer of skills from one language to another is accomplished through individualized instruction. Diagnosis of individual student needs and learning styles enables the teacher to prescribe appropriate learning activities in such areas as language arts, mathematics, science, and social studies.

The cultural heritage component of the curriculum supports the development in all students of an understanding and appreciation of their own native cultures and those of fellow students from different ethnic backgrounds.

The project goals for minority group children in grades K-6 are: to achieve fluency in two languages, to progress in basic skills at a rate commensurate with their classmates whose primary language is English, and to demonstrate measurable growth in self-esteem. These gains should increase student interest in school and learning as well as reduce the discrepancies between minority and nonminority group students in reading, writing, speaking, and mathematical skills.

The project is also expected to increase community and parental involvement in bilingual/bicultural education. Project staff members will promote parent-school cultural activities in which adults with special educational or artistic skills will collaborate to involve students in creative learning experiences.

Educational Television

Provision is made in the ESAA legislation for grant awards to be used for the development and production of integrated children's television programs of sound educational value. The ETV projects are administered by the OE National Center for Educational Technology.

Five awards totaling $11,365,943 were made in fiscal year 1973. Two of the awards extend for a 2-year period. The grantees are listed in appendix G. The television programs will be produced for elementary and secondary school pupils and will focus on such areas as bilingual/bicultural education, mathematics, "lifelong" skills, and the reduction of interracial tensions among students. Programs produced under these grants will be made available for national distribution during the 1974-75 school year.

Example of a Current Program

Noncommercial television station KLRN (the Southwest Texas Educational Television Council) of Austin, Tex., received a $1,268,730 grant to expand production of the award-winning Carrascolendas children's program. The funds will be used to produce and distribute 30 half-hour shows aimed at helping young school children from both Spanish and English speaking backgrounds to develop speaking skills in both languages as well as to explore and understand the cultural heritage of each group.

Carrascolendas is an imaginary setting where games and riddles, traditional songs and stories, humorous skits, animated film sequences, and a bilingual puppet lion are employed to help the children overcome their various language difficulties. Guides and brochures describing the shows will be distributed to teachers and parents. Word books and games also will be available for children viewing the show at home.

Special Projects

Grants and contracts may be awarded to State and local education agencies and other public agencies and organizations from funds specifically set aside to conduct special programs and projects to carry out authorized activities which the Assistant Secretary for Education determines will make a substantial contribution toward achieving the purposes of the act.

Fifty-six awards totaling $6,834,184 were made for Special Projects in fiscal year 1973. In appendix H awards for Special Projects are presented by program area and by State as applicable. Five of the awards ($4,339,000) were made for promising special programs and projects which would not otherwise qualify for ESAA assistance. Four of the five recipients are the Trust Territory of the Pacific Islands, Guam, Puerto Rico, and the Virgin Islands. Fifty-one awards ($2,495,184) were made for special reading projects which the Assistant Secretary determined would meet the special educational needs of minority group children and implement ESAA objectives. Such awards were made to LEA's which were eligible for assistance under the Basic LEA Grants program. These projects are administered by the OE Right To Read Program.

Example of a Current Program

A Special Projects grant of $622,095 was awarded to Guam. The project has two components: the development and implementation in selected schools in Guam of a program in the Chamorro language and culture and the improvement of reading skills in English through use of a comprehensive instructional program in language and reading.

The curriculum component provides 10 teachers of the Chamorro language who will use materials which were previously developed by an OE program funded under title VII of the Elementary and Secondary Education Act of 1965. New materials will also be developed by school staff working with parents and students using a new orthography of Chamorro based on the legends, music, and games of the Guamanians. A teacher training component will also be included.

The reading program is designed to improve reading skills in English. Approximately 2,000 children will be involved. Materials will be purchased to provide reading assignments to children on the basis of a diagnosis of individual reading problems. Teachers will be trained in the use of these materials, and teacher aides will be hired to assist with the program.

Evaluation Contracts

Contracts were awarded for the evaluation of specific programs and projects funded under ESAA. The national evaluation of ESAA programs is administered by the Office of Planning, Budgeting and Evaluation in the Office of Education.

In fiscal year 1973 a total of $2,280,000 from ESAA funds was awarded for evaluation in addition to $997,934 from the interim Emergency School Assistance Program which was incorporated into the 1973 supplemental appropriation for "Emergency School Assistance." Three contracts were awarded in separate competitions (appendix I):

(1) System Development Corporation (SDC) of Santa Monica, Calif., received $1,348,309 in ESAA fiscal year 1973 funds for an "Evaluation of the ESAA Basic LEA Program."

(2) SDC also received $931,691 in ESAA fiscal year 1973 funds under a separate contract for the "Longitudinal Evaluation of the ESAA Pilot Projects Program."

(3) Educational Testing Service of Princeton, N.J., received $997,934 in fiscal year 1973 supplemental appropriation funds for "A Study of the Identification of Exemplary Desegregated Schools and Evaluation of the Determinants of Success."

Example of a Current Program

The primary objective of the $1,348,309 award to SDC for a study on the "Evaluation of the ESAA Basic LEA Program" is to assess the impact of the Basic LEA Grants program in relation to the reduction of minority group isolation in participating school districts as well as to determine the improvement in academic achievement and race relations.

The second objective is to coordinate the findings of this study with the results of the other SDC study on Pilot Projects in an attempt to determine the relative effectiveness of three types of educational intervention:

- desegregation
- compensatory education in minority isolated schools
- desegregation in combination with compensatory education.

The design of the Basic LEA Grant evaluation involves the random selection of participating districts and schools. Certain schools within selected districts originally included in the ESAA grant proposal will be designated not to receive funds in order to provide a frame of reference with which those schools receiving funds can be compared. Funds which otherwise would have gone to the designated schools will be redistributed among the other participating schools in the district with no reduction in the funding level for the school districts involved.

Within the sample schools 60 children each from varying grade levels (3,4,5,10, 11, and 12) will be given achievement tests in reading and mathematics in September and May of the 1973-74 and 1974-75 school years. Questionnaires concerning such factors as program characteristics and changes in racial attitudes will also be administered annually at the regional, district, and school levels.

Evaluation of the program will be conducted in three phases over a period not to exceed 30 months. Phase I will consist of planning activities with Phases II and III reserved for data collection, analysis, and synthesis. The fiscal year 1973 award to SDC was made for Phase I planning activities (6 months).

CONCLUSION

As work continues on plans for the future implementation of ESAA, program revisions are being made by OE in an effort to improve the effectiveness of Federal desegregation assistance activities.

In response to an initial analysis of the ESAA funding experience in fiscal year 1973, revisions are currently being made in the selection criteria. The most important modification will be in the point distribution within the statistical and quality criteria categories which will be altered in order to make the ESAA programs more responsive to the diverse educational needs of applicant school districts. Preliminary surveys of both funded and unfunded ESAA applicants indicate that in addition to an expected increase in the number of new applicants most of the present grantees will reapply for assistance. Upcoming court decisions may also increase the demands for ESAA funds. Thus, with the greater competition for available funds in fiscal year 1974, the selection criteria will be even more significant in determining which applicants will receive awards.

Additional planning activities are being carried out in an effort to look beyond the expiration of ESAA at the end of fiscal year 1974. Alternative program strategies will be assessed in relation to the projected needs of the Nation's schools for assistance in eliminating minority group isolation and in providing all students with a quality integrated education. The results of these studies and subsequent recommendations will be presented in future reports on the Emergency School Aid Act.

APPENDIX A. [illegible] AA OBLIGATION, BY STATE AND TYPE OF ACTIVITY, FISCAL YEAR 1973

STATE OR OTHER AREA	BASIC LEA GRANTS	PILOT PROJECTS	NPO	METRO PROJECTS	BILINGUAL/ BICULTURAL	ETV	SPECIAL PROJECTS	EVALUATION CONTRACTS	TOTAL
1. Alabama	$ 5,887,925	$ 729,864	$ 596,728	$ 99,804	-	-	$ 178,150	-	$ 7,492,471
2. Alaska	76,349	-	46,550	-	-	-	-	-	122,899
3. Arizona	339,742	287,157	71,655	-	$ 129,878	-	-	-	828,432
4. Arkansas	3,377,285	558,413	435,754	-	-	-	107,150	-	4,478,602
5. California	8,221,327	387,896	1,359,045	-	633,806	$3,500,000	78,000	$ 2,280,000	16,460,074
6. Colorado	676,871	34,845	192,870	-	-	-	-	-	904,586
7. Connecticut	558,573	131,679	130,251	979,578	174,125	-	-	-	1,974,206
8. Delaware	150,665	98,452	49,371	-	-	-	-	-	298,488
9. District of Columbia	1,962,418	681,677	197,932	-	109,645	-	-	-	2,951,672
10. Florida	7,866,823	1,108,303	1,548,117	-	1,115,762	-	349,696	-	11,988,701
11. Georgia	6,155,874	901,580	1,268,093	51,000	-	-	279,399	-	8,655,946
12. Hawaii	-	-	-	-	-	-	-	-	-
13. Idaho	115,678	-	21,832	-	-	-	-	-	137,510
14. Illinois	3,104,791	-	955,165	-	-	811,878	-	-	4,871,834
15. Indiana	447,883	-	138,507	-	-	-	-	-	586,390
16. Iowa	244,050	-	34,165	-	-	-	-	-	278,215
17. Kansas	614,575	-	102,089	-	-	-	209,685	-	926,340
18. Kentucky	739,425	175,897	263,116	-	-	-	137,929	-	1,316,367
19. Louisiana	5,623,760	986,090	1,588,490	-	451,310	-	89,462	-	8,739,112
20. Maine	-	-	-	-	-	-	-	-	-
21. Maryland	2,043,176	-	401,089	-	-	-	-	-	2,444,265
22. Massachusetts	-	-	116,770	1,726,031	-	4,023,037	-	-	5,865,838
23. Michigan	1,847,454	546,942	607,237	-	-	-	-	-	3,001,633
24. Minnesota	535,441	-	-	-	-	-	-	-	535,441
25. Mississippi	3,582,759	179,009	447,944	251,690	-	-	71,000	-	4,532,402
26. Missouri	892,667	443,767	-	-	-	-	-	-	1,336,434
27. Montana	157,660	-	30,981	-	-	-	-	-	188,641
28. Nebraska	-	-	-	-	-	-	-	-	-
29. Nevada	615,754	-	64,081	-	-	-	-	-	679,835
30. New Hampshire	-	-	-	-	-	-	-	-	-
31. New Jersey	1,323,604	1,174,452	544,578	-	-	-	-	-	3,042,634
32. New Mexico	1,178,140	495,400	-	-	154,650	-	22,250	-	1,850,440
33. New York	11,716,609	5,575,188	1,537,498	1,906,487	1,045,060	-	1,723,433	-	23,504,275
34. North Carolina	8,571,973	45,728	959,276	99,943	-	-	242,800	-	9,919,720
35. North Dakota	98,500	-	-	-	-	-	-	-	98,500
36. Ohio	695,765	921,781	15,428	-	-	-	-	-	1,632,974
37. Oklahoma	2,061,530	68,940	173,340	-	98,950	-	-	-	2,402,760
38. Oregon	449,951	-	72,150	-	-	-	-	-	522,101
39. Pennsylvania	2,868,951	1,578,260	909,639	-	-	-	-	-	5,356,850
40. Rhode Island	1,361,971	-	177,834	-	153,163	-	-	-	1,692,968
41. South Carolina	4,824,802	1,250,123	945,028	-	-	-	44,400	-	7,064,353
42. South Dakota	195,776	-	-	-	-	-	-	-	195,776
43. Tennessee	5,052,722	493,822	217,014	-	-	-	-	-	5,763,558
44. Texas	13,645,549	2,019,950	2,451,362	333,519	4,615,550	1,268,730	94,900	-	24,429,560
45. Utah	273,541	-	11,500	-	-	-	-	-	285,041
46. Vermont	-	-	-	-	-	-	-	-	-
47. Virginia	6,544,804	861,760	1,315,013	-	-	1,762,298	366,930	-	10,850,805
48. Washington	838,210	202,834	103,693	-	206,114	-	-	-	1,350,851
49. West Virginia	133,762	-	-	-	-	-	-	-	133,762
50. Wisconsin	-	-	-	-	-	-	-	-	-
51. Wyoming	-	-	-	-	-	-	-	-	-
52. Guam	-	-	-	-	-	-	622,095	-	622,095
53. Puerto Rico	-	-	-	-	-	-	428,496	-	428,496
54. Trust Territ[illegible] Pac. Is.	-	-	-	-	-	-	204,303	-	204,303
55. Virgin Isl[illegible]	-	-	-	-	-	-	1,584,106	-	1,584,106
	$117,675,085	$21,959,809	$20,081,176	$5,448,052	$8,888,013	$11,365,943	$6,834,184	$2,280,000	$194,532,262

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973

Grantee, by State	Amount Awarded	Grantee, by State	Amount Awarded
ALABAMA	$ 5,887,925	ALABAMA (cont'd.)	
Alexander City	217,157	Escambia County (Brewton)	$213,200
Andalusia City Board of Education	73,771	Gadsden City	272,970
Anniston Public Schools	154,589	Greene County (Eutaw)	214,484
Barbour County (Barbour)	87,765	Henry County (Abbeville)	111,601
Bessemer Board of Education	100,242	Huntsville City Schools	211,002
Birmingham Board of Education	390,463	Jefferson County (Birmingham)	264,423
Brewton County Board of Education	36,707	Lee County Board of Education (Opelika)	148,372
Butler County Board of Education (Greenville)	159,848	Limeston County Board of Education (Athens)	139,091
Clarke County (Grove Hill)	191,398	Madison County Board of Education (Huntsville)	269,300
Conecuh County Board of Education (Evergreen)	255,280	*Marion City Board of Education (Monroe)	62,031
Demopolis City	70,106	Mobile County Public Schools (Mobile)	834,486
Elba City	94,362	Montgomery Public Schools (Anniston)	268,665
Elmore County (Wetumpka)	220,000		
Enterprise City Board of Education	80,362		

*See footnote at end of table.

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
ALABAMA (cont'd)	
Opelika City Schools	$163,907
Phenix City Board of Education	73,744
*Pike County Board of Education (Troy)	100,879
Talladega City Board of Education	143,924
*Tallapoosa County Board of Education (Dadeville)	142,037
Tuscaloosa City	121,759
ALASKA	76,349
Nome Beltz Regional High School	76,349
ARIZONA	339,742
Roosevelt School District #6 (Phoenix)	339,742
ARKANSAS	3,377,285
Ashdown School District #2	83,140
Augusta School District	87,000
Barton-Lexa School District #4 (Lexa)	67,780
Blytheville School District	103,800
ARKANSAS (cont'd)	
Bradley School District	$26,150
Camden School District	82,900
Dermott Public Schools	72,300
Desha-Drew School District (Tillar)	22,300
Dollarway Public Schools	66,000
Dumas School District	115,000
El Dorado School District #15	165,500
Eudora Public Schools	79,750
Foreman School District #25	25,730
Forest City School District	214,620
Harmony Grove School District (Camden)	12,700
Hope School District 1-A	73,000
Hot Springs School District #6	167,250
Lakeside Public Schools(Hot Springs)	89,300
Lewisville School District	30,650

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
ARKANSAS(cont'd.)	
*Little Rock School District	$557,605
Marianna School District	153,000
Mineral Springs School District #3	22,870
Monticello School District	79,800
North Little Rock School District	275,000
Pine Bluff School District #3	96,500
Pulaski County Special School District (Little Rock)	224,840
Stuttgart School District #22	155,300
Warren School District #1	86,500
West Memphis School Board	141,000
CALIFORNIA	8,221,327
Desert Sands USD	111,734
Fullerton Elementary School District	278,329
Hanford USD	153,741
Inglewood USD	544,197
Merced City School District	486,019
CALIFORNIA(cont'd.)	
Monrovia USD	$431,985
New Haven USD	256,156
*Oxnard USD	827,917
Pasadena USD	875,318
Riverside USD	665,939
San Francisco USD	2,291,747
Santa Ana USD	307,646
Santa Barbara USD	358,442
Santa Maria USD	161,237
Vallejo City USD	470,920
COLORADO	676,871
Delta Joint School District #50	46,250
East Otero R-1 (La Junta)	170,487
East Otero R-2 (Rocky Ford)	112,178
Mesa County Valley School District #51 (Grand Junction)	200,856

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
COLORADO (cont'd.)	
Montezuma-Cortez School District R-1 (Cortez)	$110,000
Weld School District R-8 (Fort Lupton)	37,100
CONNECTICUT	558,573
Bloomfield Public Schools	83,108
Middletown Public Schools	58,138
Waterbury Public Schools	417,327
DELAWARE	150,665
Appoquinimink School District (Odessa)	124,268
Seaford School District	26,397
DISTRICT OF COLUMBIA	1,962,418
D.C. Public School System (Washington)	1,962,418
FLORIDA	7,866,823
*Alachua County School Board (Gainesville)	144,600
Bradford County School Board (Starke)	80,755
FLORIDA (cont'd.)	
Broward County School Board (Fort Lauderdale)	$1,348,100
Dade County School Board (Miami)	1,162,706
Duval County School Board (Jacksonville)	1,146,977
Escambia County (Pensacola)	256,526
Highlands County School District (Sebring)	154,962
*Hillsboro County School Board (Tampa)	859,866
Lee County School Board (Fort Myers)	571,389
Leon County School Board (Tallahassee)	481,092
Madison County School Board	68,823
*Manatee County School Board (Bradenton)	107,000
Orange County School Board (Orlando)	682,630
Palm Beach School Board (West Palm Beach)	481,700

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
FLORIDA(cont'd.)	
St. Lucie County School Board (Fort Pierce)	$319,697
GEORGIA	6,155,874
Atlanta Public Schools	1,033,053
*Baldwin County Board of Education (Milledgeville)	120,678
*Bibb County Board of Education (Macon)	338,069
Clarke County School District (Athens)	153,704
Cochran City Board of Education	57,627
Colquitt County Board of Education (Moultrie)	116,269
Columbia County Board of Education (Appling)	132,141
Cook County Board of Education (Adel)	68,706
Dodge County Board of Education (Eastman)	142,867
Dougherty County Public Schools (Albany)	36,500
GEORGIA(cont'd.)	
Effingham County Board of Education (Springfield)	$51,567
Fitzgerald Board of Education	96,517
Glynn County Board of Education (Brunswick)	123,029
Houston County (Houston)	208,496
Jasper County Board of Education (Monticello)	105,038
Lamar County (Barnesville)	131,578
Lanier County Board of Education (Lakeland)	52,300
Lowndes County Board of Education (Valdosta)	257,323
*McDuffie County Board of Education (Thomas)	104,690
Montgomery County Board of Education (Mt. Vernon)	35,262
Muscogee County Board of Education (Columbus)	658,084
Pulaski County Board of Education (Hawkinsville)	148,450

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded	Grantee, by State	Amount Awarded
GEORGIA(cont'd.)		IDAHO	$ 115,678
Richmond County Board of Education (Augusta)	$476,500	Nampa School District #131	115,678
Savannah/Chatham County Board of Education	491,696	ILLINOIS	3,104,791
Screven County School System (Sylvania)	153,597	Cairo School District #1	399,195
Taylor County Board of Education (Butler)	102,440	Champaign Community School District #4	357,330
*Telfair County Board of Education (McRae)	102,404	Community Consolidated School District #65 (Evanston)	412,958
Thomas County Board of Education (Thomasville)	149,156	Community School District #218 (Worth)	203,380
Turner County Board of Education (Ashburn)	121,402	Elementary School District #144 (Markham)	348,110
West Point Public Schools	17,162	Kankakee School District #111	244,509
*Wheeler County Board of Education (Alamo)	118,450	Meridian Community School District (Mounds)	170,268
Wilcox County Board of Education (Abbeville)	110,024	Park Forest District #163	296,000
Wilkes County School Board (Washington)	141,095	School District #151 (South Holland)	356,541
		Urbana School District #116	316,500

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
INDIANA	$ 447,883
Evansville-Vandenburch Schools	447,883
IOWA	244,050
Waterloo Community Schools	244,050
KANSAS	614,575
Atchison USD #409	99,586
Unified School District #443 (Ford County and Dodge City)	57,140
Wichita School District #259	457,849
KENTUCKY	739,425
Earlington ISD	60,806
Louisville ISD	437,212
Paducah ISD	98,182
Richmond ISD	100,871
Washington County Board of Education (Springfield)	42,354
LOUISIANA	$ 5,623,760
Acadia Parish School Board (Crowley)	75,000
Allen Parish School Board (Oberlin)	108,270
Ascension Parish School Board (Donaldson)	198,740
Assumption Parish School Board (Napoleonville)	69,860
Avoyelles Parish School Board	57,790
Beauregard Parish School Board (Deridder)	125,270
Bienville Parish School Board (Arcadia)	122,180
Caldwell Parish School Board (Columbia)	100,000
Catahoula Parish School Board (Jonesville)	125,000
Concordia Parish School Board (Vidalia)	150,000
East Baton Rouge Parish School Board (Baton Rouge)	290,440

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
LOUISIANA(cont'd.)	
Evangeline Parish School Board (Ville Platte)	$215,780
Iberia Parish School Board (New Iberia)	300,000
Jackson Parish School Board (Jonesboro)	125,000
Jefferson Parish School Board (Gretna)	328,000
*Lafayette Parish School Board	253,000
Monroe City School Board	240,000
Morehouse Parish School Board (Bastrop)	211,000
Nachitoches Parish School Board	281,000
Orleans Parish School Board (New Orleans)	450,000
*Ouachita Parish School Board (Monroe)	205,580
*Richland Parish School Board (Rayville)	174,000
*Sabine Parish School Board (Many)	158,000
LOUISIANA(cont'd.)	
St. Charles Parish School Board (Luling)	$210,000
*St. Landry Parish School Board (Opelousas)	593,000
St. Martins Parish School Board (St. Martinsville)	231,000
Tensas Parish School Board (St. Joseph)	133,700
Union Parish School Board (Farmerville)	92,150
MARYLAND	2,043,176
Anne Arundel County Public Schools (Annapolis)	651,297
*Dorchester County Board of Education (Cambridge)	150,210
Prince Georges County Board of Education (Upper Marlboro)	1,019,471
Somerset County Board of Education (Princess Anne)	222,198

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
MICHIGAN	$ 1,847,454
Baldwin Community Schools	131,000
Kalamazoo Park School	459,000
*Pontiac City School District	1,257,454
MINNESOTA	535,441
Minneapolis Public Schools	535,441
MISSISSIPPI	3,582,759
Brookhaven Municipal Separate School District	90,867
Calhoun County School District (Pittsboro)	105,204
Chickasaw County Schools (Houston)	71,243
Choctaw County (Ackerman)	132,022
Columbia Municipal Separate School District	42,766
DeSoto County Board of Education (Hernando)	579,305
MISSISSIPPI (cont'd.)	
Durant Municipal Separate Schools	$82,541
Jackson Municipal Separate School District	1,760,330
Jones County (Laurel)	124,546
*McComb Municipal Separate School District	113,548
Okolona Municipal Separate School District	117,964
Pascagoula Municipal Separate School District	118,469
*Senatobia Municipal Separate School District	110,217
*Webster County School District (Walthall)	133,737
MISSOURI	892,667
Kansas City School District	674,798
North Pemiscott School District R-1 (Wardell)	113,925
University City School District	103,944

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
MONTANA	$ 157,660
Box Elder School District #13	51,942
Brockton School District #55	40,633
Browning Public School District #9	65,085
NEVADA	615,754
Clark County Board of Education (Las Vegas)	615,754
NEW JERSEY	1,323,604
Englewood Public Schools	171,991
Fairfield Township Schools (Fairfield)	197,569
Montclair Board of Education	281,841
Morris School District (Morristown)	93,685
Pemberton Public Schools	120,010
Rahway Board of Education (Union)	263,344
Teaneck Board of Education	89,389
Union Township Board of Education (Union)	88,575
NEW JERSEY (cont'd.)	
Woodbury Board of Education	$17,200
NEW MEXICO	1,178,140
Carlsbad Municipal School District	229,000
Chama Valley ISD #19 (Tierra Amarilla)	64,140
Dulce Board of Education	69,370
Espanola Municipal Schools	181,200
Hagerman Municipal School District #6	63,280
Hatch Valley Municipal School District (Hatch)	85,300
Hobbs Municipal Schools (Tierra Amarilla)	248,200
Socorro Consolidated Schools	66,530
Taos Municipal Schools	171,120

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 — Continued

Grantee, by State	Amount Awarded
NEW YORK	$11,716,609
Amityville School District	432,544
Community School District #3 (New York City)	992,159
Community School District #6 (New York City)	670,661
Community School District #8 (Bronx)	455,000
Community School District #18 (Brooklyn)	228,064
Community School District #21K (Brooklyn)	385,000
Community School District #24 (Middle Village)	308,121
Community School District #25 (New York City)	749,650
Community School District #26 (Queens)	782,146
Community School District #30 (Long Island City)	340,000
Freeport Public Schools	520,644
New Rochelle School District	403,756
NEW YORK (cont'd.)	
Niagara School District (Niagara Falls)	$768,500
New York City Board of Education	3,100,000
Poughkeepsie Public Schools	630,221
Syracuse City School District	384,646
White Plains School District	565,497
NORTH CAROLINA	8,571,973
Alamance County Board of Education (Graham)	296,822
Asheville City Board of Education	115,764
Bertie County Board of Education (Windsor)	249,719
Chapel Hill (Carborro City)	268,864
Charlotte-Mecklenburg Board of Education (Charlotte)	510,470
*Craven County Board of Education (New Bern)	160,971

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
NORTH CAROLINA(cont'd.)	
Cumberland County Board of Education (Fayetteville)	$ 122,929
Duplin County Board of Education (Kenansville)	100,000
Durham City Board of Education	452,314
Elizabeth City/Pasquotank Public Schools	123,370
Fayetteville City Board of Education	394,956
Goldsboro City Board of Education	480,214
Greensboro City Board of Education	484,290
Greenville City Board of Education	116,620
Harnett County Board of Education (Lillington)	291,778
Hertford County Board of Education (Winton)	128,763
Highpoint City Schools	169,610
Hoke County Board of Education (Raeford)	138,880
Lenoir [illegible] Board of Education	88,065
NORTH CAROLINA(cont'd.)	
Moore County Board of Education (Carthage)	$ 149,541
New Hanover Board of Education (Wilmington)	267,754
*Pamlico County Board of Education (Rayboro)	81,382
Raleigh Public Schools	468,722
Rutherford County Board of Education	260,316
*Salisbury City Schools	64,362
St. Pauls City Schools	114,431
Statesville City Public Schools	221,926
Thomasville City Public Schools	153,569
Tyrrell County Board of Education (Columbia)	78,776
Union County Board of Education (Monroe)	169,876
Wake County Board of Education (Raleigh)	245,763
Warren County Board of Education (Warrenton)	254,699

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
NORTH CAROLINA(cont'd.)	
Washington County Board of Education (Plymouth)	$ 119,722
Wayne County Board of Education (Goldsboro)	327,585
Wilson County Board of Education (Wilson)	360,179
Winston-Salem Forsyth County Board of Education (Winston-Salem)	538,971
NORTH DAKOTA	98,500
Turtle Mountain County Schools (Belcourt)	98,500
OHIO	695,765
Warren City Schools	262,612
Warrensville Heights City Schools (Cleveland)	245,004
Xenia City Schools	188,149
OKLAHOMA	2,061,530
Anadarko Public Schools	65,750
Ardmore City Schools, District 1-19	103,340
OKLAHOMA(cont'd.)	
Beggs Public Schools I-4	$ 43,150
Boley School District I-13	46,790
Byng Schools (Ada)	45,550
Dewar Public Schools	37,000
Eufaula Public Schools	55,900
Frederick School District	62,430
Grant Public School District I-3	41,470
Guthrie Independent School District I-1	13,900
Hartshorne School District #1	76,970
Hugo City Schools I-39	57,210
Morris Public Schools I-3	39,890
*Muskogee City Schools	235,000
*Okmulgee Public Schools	145,000
Pleasant Grove Public Schools (Seminole)	19,980
Preston School System	27,800

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
OKLAHOMA (cont'd.)	
Salina Public Schools	$ 37,800
Sapulpa Public Schools	105,500
Tulsa Public Schools	724,000
Weleetka ISD #31	28,760
Wewoka Public Schools	48,340
OREGON	449,951
Portland #1	449,951
PENNSYLVANIA	2,868,951
Aliquippa School District	67,669
Clairton City School District	288,309
Farrell School District	268,432
General Braddock Area School District (Braddock)	409,128
Harrisburg City School District	397,000
McKeesport Area School District	339,200
Pittsburgh Board of Public Education	743,970
PENNSYLVANIA (cont'd.)	
Wilkinsburg School District	$ 249,841
City of York	105,402
RHODE ISLAND	1,361,971
Providence Public Schools	1,361,971
SOUTH CAROLINA	4,824,802
Anderson County School District #1	149,932
*Anderson County School District #5	199,996
Britton's Necks Schools (or Marion School District #4) (Gresham)	77,929
Cherokee County School District #1 (Gaffney)	116,359
Chester County School District (Chester)	149,890
Fairfield County Schools (Winnsboro)	264,650
Florence School District #2 (Pamplico)	124,608

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
SOUTH CAROLINA(cont'd.)	
Greenville County Schools (Greenville)	$ 467,768
Greenwood School District #50 (Greenwood)	146,122
Greenwood School District #52 (Ninety-Six)	87,226
Hampton School District #1 (Hampton)	158,675
Harley Ridgeville School District #3 (Dorchester)	183,937
Jasper County Board of Education (Ridgeland)	253,636
Kershaw County School District (Camden)	298,397
Lancaster County School District (Lancaster)	245,201
Lexington School District #4	62,079
Lexington School District #5 (Ballentine)	111,885
McCormick County Schools (McCormick)	95,078
SOUTH CAROLINA(cont'd.)	
Marlboro County School District (Bennettsville)	$ 255,795
Orangeburg School District #1 (Orangeburg)	137,521
Orangeburg School District #4 (Cordova)	117,926
Orangeburg School District #5 (Orangeburg)	182,686
Richland School District #1 (Columbia)	434,862
Saluda School District #1 (Saluda)	89,867
Williamsburg County School District (Kingstree)	178,109
York County School District #1 (York)	136,411
York County School District #2 (York)	98,257

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
SOUTH DAKOTA	$ 195,776
Andes Central ISD #103 (Lake Andes)	48,462
Eagle Butte Public Schools	61,431
East Charles Mix ISD #102 (Wagner)	85,883
TENNESSEE	5,052,722
Chattanooga Public Schools	428,975
*Covington City Schools	141,648
Humbolt Board of Education	135,490
Jackson City Schools	191,598
Maury City Board of Education	70,602
Memphis City Schools	2,212,460
Metropolitan - Davidson County (Nashville)	1,271,019
McNairy County (McNairy)	167,170
Shelby County (Memphis)	226,261
Tipton County Board of Education (Covington)	207,499

Grantee, by State	Amount Awarded
TEXAS	$13,645,549
Amarillo ISD	383,000
Alto ISD	58,600
*Austin ISD	548,939
Bastrop ISD	60,000
Beeville ISD	50,000
Bryan ISD	303,000
Burkeville ISD	45,000
Carthage ISD	135,480
*Centerville ISD	41,458
Crosby ISD	106,000
Cuero ISD	66,020
Daingerfield ISD	71,390
*Dallas ISD	1,400,000
DeKalb ISD	93,000
Dickinson ISD	106,000
Eagle Pass ISD	200,000
Edinburg Consolidated ISD	372,860

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA : FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded	Grantee, by State	Amount Awarded
TEXAS(cont'd.)		TEXAS(cont'd.)	
El Paso ISD	$ 500,000	*Jasper ISD	$ 167,008
*Elysian Fields ISD	56,800	Jefferson ISD	102,760
Fairfield ISD	50,000	LaMarque ISD	77,880
Ferris ISD	48,320	Lamesa ISD	102,000
Fort Bend ISD (Stafford)	104,970	Liberty-Eylau ISD (Texarkana)	46,000
Fort Worth ISD	1,500,000	*Longview ISD	241,710
Galena Park ISD	120,590	Lubbock ISD	152,780
Galveston ISD	440,000	*Malakoff ISD	50,452
*Gilmer ISD	112,759	North Forest ISD	322,840
Groesbeck ISD	48,240	Oakwood ISD	50,960
Hearne ISD	108,000	*Palestine ISD	150,712
Henderson ISD	135,000	Pleasant Grove Common School District	34,270
Hillsboro ISD	63,650	San Antonio ISD	800,000
Hitchcock ISD	21,600	San Augustine ISD	91,440
*Hooks ISD	18,734	San Felipe Del Rio Consolidated School District (Del Rio)	250,000
Houston ISD	1,992,000		
Italy ISD	44,870		

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
TEXAS (cont'd.)	
*Shelbyville ISD	$ 23,577
Sherman ISD	132,000
Smithville ISD	40,080
South Park ISD	339,320
Tatum ISD	29,110
Taylor ISD	136,970
*Tenaha ISD	28,000
*Terrell ISD	136,300
Texarkana ISD	193,510
Timpson ISD	53,890
Waller ISD	25,700
Waxahachie ISD	160,000
Weslaco ISD	300,000
UTAH	273,541
Duchesne & Uintah School District	30,000
Ogden City Board of Education	243,541
VIRGINIA	$ 6,544,804
Alexandria City Schools	169,850
Campbell County School Board (Rustburg)	310,157
Charlottesville City Schools	217,112
Chesapeake Public Schools	1,014,154
Danville Public Schools	364,724
Fluvanna County School Board (Palmyra)	59,639
Goochland School Board	108,234
Halifax County School Board	149,283
Henry County School Board (Martinsville)	285,102
Hopewell City School Board	317,044
King George County School Board (King George)	184,239
Louisa County Public Schools (Mineral)	159,574
Lynchburg Public Schools	287,070
Nelson County School Board (Lovingston)	78,405

APPENDIX B. BASIC GRANTS TO LOCAL EDUCATION AGENCIES UNDER ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
VIRGINIA(cont'd.)	
*Norfolk City School Board	$ 947,655
Petersburg Public Schools	229,203
*Pittsylvania County Schools (Chatham)	186,578
Powhattan County School Board (Powhattan)	81,185
Richmond Public Schools	926,159
Roanoke City Public Schools	302,204
South Boston City Schools (Halifax)	42,700
York County School Board (Yorktown)	124,533
WASHINGTON	838,210
Cusick School District	36,290
Pasco Public Schools	84,603
Seattle Public Schools	312,317
Tacoma Public Schools	405,000
WEST VIRGINIA	$ 133,762
Jefferson County Board of Education (Charles Town)	133,762
TOTAL	$117,675,085

*Batch I grant awards.

APPENDIX C. PILOT PROJECTS, ESAA: FISCAL YEAR 1973

Grantee, by State	Amount Awarded
ALABAMA	$ 729,864
Bessemer Board of Education	49,880
Bullock County Board of Education	107,650
Green County Board of Education	139,443
Macon County Board of Education	46,878
Mobile County Public Schools	297,671
Montgomery Public Schools	88,342
ARIZONA	287,157
Nogales Public School Districts #1 and 10	150,000
Roosevelt School District #66 (Phoenix)	137,157
ARKANSAS	558,413
Cotton Plant School District #1	47,240
Desha-Drew School District (Tillar)	26,300
*Dumas School District	55,803
Eudora Public Schools	89,000
Linwood School District (Moscow)	56,820
ARKANSAS (cont'd.)	
Marianna School District	$ 159,900
Marvell City School District #2	55,430
Wabbaseka School District	67,920
CALIFORNIA	387,896
Lakeside USD or Lake Union	58,590
San Mateo County Schools	329,306
COLORADO	34,845
East Otero R-2 (Rocky Ford)	34,845
CONNECTICUT	131,679
Bridgeport Board of Education	131,679
DELAWARE	98,452
Wilmington Board of Public Instruction	98,452
DISTRICT OF COLUMBIA	681,677
D.C. Public School System	681,677

*See footnote at end of table.

APPENDIX C. PILOT PROJECTS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
FLORIDA	$ 1,108,303
Dade County School Board (Miami)	434,507
*Duval County (Jacksonville)	408,680
Jefferson County Schools (Monticello)	131,924
Madison County	133,192
GEORGIA	901,580
Atlanta Public Schools	198,424
Bibb County Board of Education (Macon)	196,397
Brooks County Board of Education (Quitman)	50,290
Hancock County Board of Education (Sparta)	185,165
Mitchell County Board of Education (Camilla)	147,142
Randolph County Board of Education (Cuthberg)	107,000
West Point Public Schools	17,162
KENTUCKY	$ 175,897
Louisville ISD	175,897
LOUISIANA	986,090
Concordia Parish School Board (Vidalia)	120,500
East Baton Rouge Parish	138,000
Monroe Parish School Board	216,970
Nachitoches Parish School Board	199,940
Orleans Parish School Board (New Orleans)	138,680
St. Landry Parish School Board (Opelousas)	76,000
Tensas Parish (St. Joseph)	96,000
MICHIGAN	546,942
Highland Park School District	546,942
MISSISSIPPI	179,009
*Leflore County (Greenwood)	96,079
Leflore County (Greenwood)	82,930

APPENDIX C. PILOT PROJECTS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
MISSOURI	$ 443,767
Kansas City School District	443,767
NEW JERSEY	1,174,452
East Orange Board of Education	445,425
Englewood Public Schools	62,356
New Brunswick Public Schools	200,005
Plainfield Board of Education	466,666
NEW MEXICO	495,400
Bloomfield Municipal School	24,130
Dulce Board of Education	103,350
Las Vegas City Schools	119,900
Questa ISD #9	45,000
Santa Rosa Consolidated School Board	76,420
West Las Vegas School District #1	126,600
NEW YORK	5,575,188
Community School District #3 (New York City)	1,031,220
[illegible] District #17	500,000
NEW YORK (cont'd.)	
New York City Board of Education	$ 4,043,968
NORTH CAROLINA	45,728
Warren County Board of Education (Warrenton)	45,728
OHIO	921,781
East Cleveland City Schools	496,781
Jefferson Township School District (Dayton)	425,000
OKLAHOMA	68,940
Millwood Public Schools	68,940
PENNSYLVANIA	1,578,260
Harrisburg City School District	1,456,510
Pittsburgh Board of Public Schools	121,750
SOUTH CAROLINA	1,250,123
Allendale County Schools	151,720
Bamberg School District #2 (Denmark)	103,045
Edgefield County Schools	237,175

APPENDIX C. PILOT PROJECTS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
SOUTH CAROLINA (cont'd)	
Fairfield County School System	$ 273,408
Lower Marion County School District #3 (Rains)	93,170
Orangeburg County #7	66,728
Richland County Schools #1 (Columbia)	222,456
Williamsburg County School District (Kingstree)	102,421
TENNESSEE	493,822
Chattanooga Public Schools	149,508
Fayette County Board of Education (Somerville)	142,028
*Metro-Nashville/Davidson County Schools	202,286
TEXAS	2,039,950
Austin ISD	300,000
Dallas ISD	465,400
Eagle Pass ISD	112,140
Fort Worth ISD	364,800
TEXAS (cont'd)	
Galveston ISD	$ 130,700
Hitchcock ISD	8,440
Houston ISD	[illegible]3,760
Lyford Consolidated ISD	89,400
Pawnee ISD	16,260
Weslaco ISD	75,000
Zapata Public Schools	74,050
VIRGINIA	861,760
Buckingham County School Board	76,750
Charles City and County Public Schools (Providence Forge)	102,673
Essex County School Board	74,733
Goochland County Schools	95,396
King and Queen County Public Schools	104,285
Norfolk City School Board	171,644
Prince Edward County Public Schools	126,484

APPENDIX C. PILOT PROJECTS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded	Grantee, by State	Amount Awarded
VIRGINIA (cont'd)			
Richmond City Public Schools	$ 109,795		
WASHINGTON	202,834		
Seattle Public Schools	202,834		
TOTAL	$21,959,809		

*Batch I grant awards.

APPENDIX D. NONPROFIT ORGANIZATIONS, ESAA: FISCAL YEAR 1973

Grantee, by State	Amount Awarded
ALABAMA	$ 596,728
ACT Education (Mobile)	66,659
*Alabama A&M University (Normal)	104,098
Butler County League for Advancement of Education (Greenville)	56,640
Miles College (Birmingham)	160,116
Miles College (Birmingham)	105,132
Tuskegee Institute	104,083
ALASKA	46,550
Kegoyah-Kaza Public Library Association (Nome)	46,550
ARIZONA	71,655
Valle Del Sol, Inc. (Phoenix)	71,655
ARKANSAS	$ 435,754
Arkansas Education Association (Little Rock)	44,400
Blytheville Council on Human Relations	43,500
Dermott Concerned Citizens Enterprise	46,600
Texarkana Community Coordinated Child Care Council, Inc.	58,370
*Urban League of Greater Little Rock	242,884
CALIFORNIA	1,359,045
Bayview Hunters Point Education Advocate Office Board, Inc. (San Francisco)	59,656
*California Call to Conscience Oxnard Community Center	48,523
Concerted Services Project, Inc. (Pittsburg)	90,662
Greater Los Angeles Urban Coalition	498,000

* [illegible] note at end of table.

APPENDIX D. NONPROFIT ORGANIZATIONS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
CALIFORNIA(cont'd.)	
Hanford Community Volunteer Bureau	$ 12,720
Inglewood Neighbors	50,369
Los Angeles Girl Scouts Council	44,684
Mothers Club Community Center (Pasadena)	33,066
North Richmond Neighborhood House	61,155
Pasadena Urban Coalition	248,870
Santa Barbara PTA	71,806
St. John the Evangelist Episcopal Church (San Francisco)	16,956
Visual Communications/Asian Am. Studies Central , Inc. (Los Angeles)	122,578
COLORADO	192,870
Adult Education Council of Metropolitan Denver	28,033
Board of Cooperative Education Services for Arkansas Valley	54,433
Bonfils Theater of the Denver Center	33,351
COLORADO(cont'd.)	
Community Organizations - Denver, Colorado SEA	$ 46,202
La Voz de la Raza, Inc. (Grand Junction)	20,631
Young Audiences, Inc. - Denver, Chapter (Englewood)	10,220
CONNECTICUT	130,251
South Norwalk Community School	62,588
Urban League of Stamford	67,663
DELAWARE	49,371
Association of Greater Wilmington Neighborhood	19,050
Girls Club of Wilmington	13,761
MOT Community Action Agency (Middletown)	16,560
DISTRICT OF COLUMBIA	197,932
Friends of D.C. Youth Orchestra	67,854
YMCA	130,078

APPENDIX D. NONPROFIT ORGANIZATIONS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
FLORDIA	$ 1,548,117
Afro American Cultural Development Center (Jacksonville)	164,187
Broward County Community Relations (Fort Lauderdale)	95,417
Community Action Migrant Program, Inc. (Fort Lauderdale)	125,000
Concerned Parents of Orange County (Orlando)	64,840
Florida A&M University (Tallahassee)	47,258
Florida International University (Miami)	380,358
*Gainesville Women for Equal Rights	72,528
United Clubs of Broward County (Fort Lauderdale)	128,378
Urban League of Greater Miami	391,726
*WJCT Community Television (Jacksonville)	78,425

Grantee, by State	Amount Awarded
GEORGIA	$ 1,268,093
Academy Theatre (Incorporated as Southeastern Academy of Theatre and Music) (Atlanta)	85,266
Bridges-Cobb County (Marietta)	44,940
Butler Street YMCA (Atlanta)	100,490
Center for School and Community Services (Atlanta)	77,908
*Chatham Council on Human Relations (Savannah)	134,964
*Clark College (Atlanta)	71,444
Community Development Center (Fort Valley)	116,413
Gainesville Hall County Boy's Club	72,275
Greater Atlanta Arts Council	69,192
Metro-Atlanta Summit Leadership Congress	83,202
Metro-Columbus Urban League, Inc. (Columbia)	107,434

APPENDIX D. NONPROFIT ORGANIZATIONS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
GEORGIA (cont'd)	
Morris Brown College (Atlanta)	$ 88,785
New Communities, Inc. (Leesburg)	74,185
Savannah State College	92,085
Supplemental Educational Service, Inc. (Butler)	49,510
IDAHO	21,832
Idaho Migrant Council (Boise)	21,832
ILLINOIS	955,165
Chicago Urban League	164,215
Dr. Martin Luther King Education Center (Kankakee)	32,086
Enrichment Learning Inc. (Kankakee)	112,930
Fellowship for Action (Park Forest)	135,332
NAACP Kankakee County	51,990
ILLINOIS (cont'd.)	
Northwestern University School of Education (Evanston)	$ 307,854
Urban Gateways (Chicago)	87,484
Vision (South Holland)	63,274
INDIANA	138,507
*Indianapolis Urban League	73,000
Urban League of NW Indiana (Gary)	52,507
Youth for Chrispus Attucks, Inc. (Indianapolis)	13,000
IOWA	34,165
Waterloo Commission on Human Rights	34,165
KANSAS	102,080
Happy Hearts, Inc. (Atchison)	27,544
League of Women Voters (Wichita)	30,512
Wichita Urban League	44,024

APPENDIX D. NONPROFIT ORGANIZATIONS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
KENTUCKY	$ 263,116
Louisville Area Council on Religion and Race	77,980
Micro City Government (Lexington)	92,845
University of Louisville	92,291
LOUISIANA	1,588,490
Allen Action Agency, Inc. (Oberlin)	59,100
Board of Christian Education Dyer Chapel CME Church (West Monroe)	50,000
*Board of Christian Education - Lewis Temple CME Church (Grambling)	60,000
Greater New Orleans Educational T.V. Foundation	72,360
Innovative School-Parent-Community Association, Inc. (New Orleans)	38,780
Istrouma Area Council/Boy Scouts of America (Baton Rouge)	40,150
*Lafayette Natural History Museum	45,000
LOUISIANA (cont'd.)	
*Lemoyne Community Action, Inc. (Plaguemine)	$ 50,000
Louisiana State University and Agricultural and Mechanical College (Baton Rouge)	97,000
Monroe District Board of Christian Education (Grambling)	191,850
Nachitoches Area Action Association	77,660
New Orleans Street Academy	115,770
Operation Uplift (New Iberia)	55,410
Pointe Coupee Community Advancement, Inc. (New Roads)	57,830
Sabine Nonprofit Improvement Organization (Florien)	55,000
Southern Consumers Education Foundation & BLLYM Corporation (Lafayette)	52,400
*Southern Mutual Help Association, Inc. (Abbeyville)	40,000

APPENDIX [illegible]. NONPROFIT ORGANIZATIONS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
LOUISIANA(cont'd.)	
Southern University Parish Consortium (Baton Rouge)	$ 57,930
St. Helena Assistance Resource Establishment, Inc. (SHARE) (Greensburg)	63,460
St. James Community Action, Inc. (St. Charles Parish) (Luling)	61,680
St. Mary C.M.E. Temple Board of Christian Education (Bastrop)	57,110
St. Paul Community Center Parent Involvement Program (Baton Rouge)	65,000
Tri-Parish Progress, Inc. (St. Landry Parish) (Crowley)	36,000
Tri-Parish Progress, Inc. (Acadia Parish) (Crowley)	52,000
University-Area Public School Development Association, Inc. (New Orleans)	37,000
MARYLAND	$ 401,089
Delta Sigma Theta, Inc. (Baltimore)	88,253
Health Training Research Development Systems, Inc. (Baltimore)	67,395
Maryland State Department of Education (Baltimore)	67,109
United Communities Against Poverty (Fairmont Heights)	178,332
MASSACHUSETTS	116,770
Urban League of Springfield, Inc.	116,770
MICHIGAN	607,237
Community Organization for Parents and Youth (Pontiac)	50,388
Jackson NAACP	66,540
New Prospectives on Race, Inc. (Detroit)	46,725
North End Concerned Citizens Council	148,656
*Pontiac Urban League	150,000

APPENDIX D. NONPROFIT ORGANIZATIONS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
MICHIGAN(cont'd.)	
Western Michigan University (Kalamazoo)	$ 144,928
MISSISSIPPI	447,944
Central Mississippi, Inc. (Winona)	46,724
*Greenville Committee for Support of Public Education	31,976
*Harrison County Community	71,683
Jackson State College	81,195
*Pearl River Valley Opportunity, Inc. (Columbia)	51,767
Tougaloo College	66,721
Tri-County Community Center (Jackson)	53,060
United Ministerial Association of Lowndes County, Inc. (Columbus)	44,818
MONTANA	30,981
Blackfeet Community Free School (Browning)	30,981
NEVADA	$ 64,081
Economic Opportunity Board (Las Vegas)	64,081
NEW JERSEY	544,578
Blacks on South Side (Bridgeton)	66,275
Greater Montclair Urban Coalition	92,216
New Brunswick Education Association	237,919
Puertorreiquenas Asocidos for Community Organization (Jersey City)	85,413
Urban League of Greater New Brunswick	62,755
NEW YORK	1,537,498
Aviation Development Council (Flushing)	175,916
Chelsea Save Our Homes (New York City)	59,804
Children's Aid Society (New York City)	74,138
East Harlem Community Corporation (New York City)	52,966

Grantee, by State	Amount Awarded
NEW YORK (cont'd.)	
Jewish Community Services - Brooklyn Center of Long Island University	$ 96,601
Joint Schools Committees for Academic Excellence (New York City)	153,357
Mid-Brooklyn Health Association	94,414
Mt. Sinai School of Medicine (New York City)	267,758
New York Urban League	354,573
Parents Association of Olinville (Bronx)	44,644
Project Unique (Rochester)	163,327
NORTH CAROLINA	959,276
Bethlem Center, Inc. (Charlotte)	116,484
Charlotte-Mecklenburg Youth Council, Inc.	121,871
East Carolina University (Greenville)	54,822
NORTH CAROLINA (cont'd.)	
Lumbee Regional Development (Pembroke)	$ 89,110
Operation Breakthrough, Inc. (Durham)	80,888
Raleigh Community Relations	52,137
Soul City Foundation, Inc.	98,220
Wilmington NAACP/Community Group, Inc.	81,394
Wilmington Youth Council	104,769
Winston-Salem Forsyth County PTA Council	86,231
Women in Action for the Prevention of Violence and Its Causes (Raleigh)	73,350
OHIO	15,428
Jefferson Township Development Council (Dayton)	15,428

APPENDIX D. NONPROFIT ORGANIZATIONS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
OKLAHOMA	$ 173,340
Education and Public Service, SW Center for Human Relations (Norman)	64,340
Oklahoma City Urban League	57,000
*Tulsa Urban League	52,000
OREGON	72,150
CISCO-Chicano-Indian Study Center (Monmouth)	25,150
Portland Urban League	47,000
PENNSYLVANIA	909,639
Family and Children Services (Pittsburgh)	82,289
Farrell Human Relations Commission	133,643
Griffith Heights Social Services Association (Aliquippa)	49,525
Health and Welfare Association of Alleghany County (Pittsburgh)	488,098
Human Relations Council of Greater Harrisburg	112,456
PENNSYLVANIA (cont'd.)	
Pennsylvania Education Association (Harrisburg)	$ 43,628
RHODE ISLAND	177,834
Providence Corporation	177,834
SOUTH CAROLINA	945,028
Anderson County NAACP	81,026
Bamberg County Education and Recreation Agency (Denmark)	62,209
Camp St. Mary (Ridgeland)	100,685
*Columbia Urban League	67,855
Committee for the Betterment of Poor People (Hampton)	96,158
Dorchester County Education Project (Ridgeville)	61,269
Horry-Georgetown Economic Opportunity Council, Inc. (Conway)	60,593
Laurens County Community Action Agency, Inc.	40,590

APPENDIX D. NONPROFIT ORGANIZATIONS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
SOUTH CAROLINA (cont'd.)	
Marlboro County Improvement Committee (Bennettsville)	$ 43,410
*Midlands Community Action Agency, Inc.	64,261
Newberry County Project (Midland Community Action Agency) (Columbia)	54,918
Orangeburg County Committee on Poverty	84,540
Voorkees College (Denmark)	81,284
Williamsburg County Association for the Arts (Kingstree)	46,230
TENNESSEE	217,014
Fayette County Economic Development Community (Somerville)	64,856
*Memphis Panel of American Women	12,165
*Memphis Urban League	83,001
Nashville Panel of American Women	19,308
TENNESSEE (cont'd.)	
National Conference of Christians and Jews (Memphis)	$ 37,684
TEXAS	2,431,362
Abraham Lincoln Jr.-Sr. High Schoo PTA (Houston)	100,000
American GI Forum (Dallas)	83,680
Arts Council of Brazos Valley (Bryan)	50,000
Bishop College (Dallas)	60,160
Carter High School PTA (Dallas)	100,630
Citizens for Good Schools Foundation (Houston)	115,600
Dallas Theater Center	73,790
*Dallas Urban League	67,011
Extend-A-Care, Inc. (Austin)	47,930
Foundation for Educational Skills (Dallas)	79,140

APPENDIX D. NONPROFIT ORGANIZATIONS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
TEXAS (cont'd.)	
*Greater Dallas Community Relations Commission	$ 112,041
Greater Fort Worth and Tarrant County Community Action Agencies	250,000
Hillsboro City Council PTA	34,810
Houston Area Urban League	85,000
Houston Council on Human Relations	74,000
*Houston Metropolitan Ministries	122,890
Human Relations Council of Midland	90,000
Inman Christian Center (San Antonio)	107,200
League of Latin American Citizens (Dallas)	61,000
L.E.A.R.N., Inc. (Lubbock)	23,000
*Mexican-American Education Council (Houston)	115,000
Nacogdoches County Voters League	75,000
Neighborhood Center (Sweetwater)	34,480
TEXAS (cont'd.)	
Opportunity School, Inc. (Amarillo)	$ 75,000
*Sonora Childhood Development Center	100,000
Southside Neighborhood Assistance Corp. (San Antonio)	60,000
St. Vincents House, Inc. (Galveston)	100,000
Texas Panhandle CAP (Amarillo)	70,000
Waxahachie Comprehensive Child Care, Inc.	43,000
YMAC of Amarillo	21,000
UTAH	11,500
Weber Council of Spanish-Speaking Organizations, Inc. (Ogden)	11,500

APPENDIX D. NONPROFIT ORGANIZATIONS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded
VIRGINIA	$ 1,315,013
Alexandria Economic Opportunity Commission	82,354
*Blue Ridge ETV Association (Roanoke)	47,557
Civic Association of King & Queen County	32,640
Hampton Institute	63,599
Hampton Youth Opportunity Commission	87,329
Health-Welfare Recreation Planning Council of the United Communities (Norfolk)	83,042
*Lake Taylor Community Project (Norfolk)	48,509
Links Keyboard Center (Lynchburg)	99,437
New Kent County NAACP (Quinton)	6,305
Parent Child Development Center, Inc. (West Point)	12,024
Petersburg Chapter, Delta Sigma Theta, Inc.	35,129
VIRGINIA (cont'd.)	
*Portsmouth ESAA Community Group	$ 52,440
Powhattan-Goochland Delegate Community Action Agency	35,884
Prince Edward Council of Human Relations (Farmville)	56,195
Rappahannock Community College (Glenns)	31,885
Richmond Coalition (Community Association Coalition)	79,954
TAP (Total Action Against Poverty) in Roanoke Valley	58,735
Virginia State Department of Education (Richmond)	227,092
Virginia SEA (Lighthouse) (Richmond)	174,903
WASHINGTON	103,693
Coalition for Quality Integrated Education (Seattle)	42,787

Grantee, by State	Amount Awarded	Grantee, by State	Amount Awarded
WASHINGTON(cont'd.)			
Tacoma PTA	$ 27,035		
Tacoma Urban League	33,871		
TOTAL	$20,081,176		

* Batch I grant awards.

APPENDIX E. METROPOLITAN AREA PROJECTS, ESAA: FISCAL YEAR 1973

Grantee, by Program Area	Amount Awarded
EDUCATION PARKS	$ 835,956
Mobile, Ala.	99,804
Bibb County, Ga.	51,000
Jackson, Miss.	251,690
Charlotte-Mecklenburg, N.C.	99,943
Dallas, Tex.	201,174
San Antonio, Tex.	132,345
SMSA PLANNING	980,340
Brookline, Mass.	980,340
INTERDISTRICT TRANSFER	3,631,756
Canton, Conn.	90,635
Farmington, Conn.	76,014
Glastonbury, Conn.	160,900
Hamden, Conn.	206,200
West Hartford, Conn.	445,829
Lincoln, Mass.	$ 745,691
West Irondequoit, N.Y.	1,906,487
TOTAL	$5,448,052

APPENDIX F. BILINGUAL/BICULTURAL PROJECTS, ESAA: FISCAL YEAR 1973

Grantee, by State	Amount Awarded
ARIZONA	$ 129,878
Roosevelt School District #66 (Phoenix)	129,878
CALIFORNIA	633,806
Pasadena USD	152,551
San Francisco USD	318,611
Santa Ana USD	162,644
CONNECTICUT	174,125
Norwalk Public School	174 125
DISTRICT OF COLUMBIA	109,645
D. C. Public School System (Washington)	109,645
FLORIDA	1,115,762
Dade County Board of Education (Miami)	752,396
Palm Beach County Board of Education (West Palm Beach)	363,366
LOUISIANA	$ 451,310
Evangeline Parish School Board (Ville Platte)	134,000
Iberia Parish School Board (New Iberia)	78,230
Lafayette Parish School Board	117,080
St. Landry Parish School Board (Opelousas)	122,000
NEW MEXICO	154,650
Mora ISD #1	111,250
Penasco ISD #4	43,400
NEW YORK	1,045,060
Community School District #1 (New York City)	399,631
Community School District #4 (New York City)	360,270
Community School District #11 (Bronx)	65,195
Community School District #18 (Brooklyn)	219,964

APPENDIX F. BILINGUAL/BICULTURAL PROJECTS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by State	Amount Awarded	Grantee, by State	Amount Awarded
OKLAHOMA	$ 98,950	TEXAS (cont'd)	
Stillwell School District I - 25	98,950	Rio Hondo ISD	$ 41,000
RHODE ISLAND	153,163	San Antonio ISD	469,000
Providence Public Schools	153,163	San Diego ISD	61,230
TEXAS	4,615,550	San Felipe-Del Rio Consolidated ISD	186,080
Austin ISD	800,000		
Crystal City ISD	98,800		
Dallas, ISD	1,245,770	Weslaco ISD	103,000
Eagle Pass ISD	95,450	West Oso ISD	100,710
Edgewood ISD	201,800	Zapata County ISD	50,000
El Paso ISD	158,650	WASHINGTON	206,114
Fort Worth ISD	350,370	Toppenish Public Schools	206,114
Houston ISD	219,150	TOTAL	$8,888,013
Lubbock ISD	139,000		
Northside ISD (San Antonio)	148,390		
Rio Grande City Consolidated ISD	147,150		

APPENDIX G. EDUCATIONAL TELEVISION, ESAA: FISCAL YEAR 1973

Grantee	Amount Awarded	Grantee	Amount Awarded
*Bicultural Children's Television, Inc. Oakland, Calif.	$3,500,000		
WTTW (Chicago Educational Television) Chicago, Ill.	811,878		
*Educational Development Center Inc. Newton, Mass.	4,023,037		
KRLN (Southwest Texas Educational Televicion Council) Austin, Tex.	1,268,730		
WNVT (Northern Virginia Educational Television Association) Annandale, Va.	1,762,298		
TOTAL	$11,365,943		

* Two-year grant awards.

APPENDIX H. SPECIAL PROJECTS, ESAA: FISCAL YEAR 1973

Grantee, by Program Area	Amount Awarded
SPECIAL READING PROJECTS	$ 2,495,184
ALABAMA	178,150
Elba City Board of Education Elba Elementary School	57,600
Huntsville City Schools East Clinton Elementary School	37,550
Montgomery Public Schools Harrison Elementary School	83,000
ARKANSAS	107,150
Augusta School District #10 Augusta Elementary School	36,600
El Dorado School District Yocum Elementary School	70,550
CALIFORNIA	78,000
Inglewood Unified School District Inglewood High School	78,000
FLORIDA	349,696
School Board of Hillborough County (Tampa) Monroe Junior High	89,996
Lee County School Board (Fort Myers) Dunbar Middle School	30,000
FLORIDA (cont'd.)	
Leon County School District (Tallahassee) Apalachee Elementary School Cobb Middle School Frank Hartfield Elementary School Kate Sullivan School Leonard A. Wesson School Walter T. Moore Elementary School	$ 229,700
GEORGIA	279,399
Atlanta Public Schools Moreland School	36,550
Bibb County Board of Education Central High School	75,000
Columbia County Board of Education (Appling) Harlem High School South Harlem Elementary School	48,449
Dodge County Board of Education (Eastman) Chester Elementary School	50,000
Thomas County Board of Education (Thomasville) Garrison-Pilcher Public School	69,400

APPENDIX H. SPECIAL PROJECTS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by Program Area	Amount Awarded
KANSAS	$ 209,685
Unified School District #259 (Wichita)	209,685
Buckner Elementary School	
Carter Elementary School	
Cloud Elementary School	
Eugene Field Elementary School	
Garrison Elementary School	
Minneha Elementary School	
Riverside Elementary School	
KENTUCKY	137,929
Louisville ISD	137,929
Western Junior High	
LOUISIANA	89,462
Jefferson Parish School Board (Gretna)	7,612
Henry Ford Middle School	
Lincoln Elementary School	
Orleans Parish School Board (New Orleans)	40,850
Livingston Middle School	
Ouachita Parish School Board (Monroe)	41,000
Ransom Elementary School	
MISSISSIPPI	$ 71,000
DeSoto County Schools (Horn Lake)	71,000
Horn Lake Elementary School	
NEW MEXICO	22,250
Bloomfield Municipal Schools	22,250
Rio Vista Intermediate School	
NEW YORK	223,433
Freeport Public Schools	95,283
Freeport High School	
Community District 31 (New York City)	60,000
Public School #18	
City School District of New Rochelle	68,150
Henry Barnard Junior High	
NORTH CAROLINA	242,800
Charlotte-Mecklenburg Board of Education	50,000
Pineville School	
Craven County Board of Education (New Bern)	54,500
Farm Life Elementary School	

APPENDIX H. SPECIAL PROJECTS, ESAA: FISCAL YEAR 1973 - Continued

Grantee, by Program Area	Amount Awarded
NORTH CAROLINA (cont'd.)	
Harnette County Board of Education (Lillington) Harnett Elementary School	$ 59,000
Salisbury City Schools Knox Junior High	43,900
Statesville City Schools N.B. Mills Elementary School	35,400
SOUTH CAROLINA	44,400
Richland County School District #1 (Columbia) Lower Richland High School	44,400
TEXAS	94,900
Fort Bend ISD (Stafford) Lakeview Elementary School	38,000
Gilmer ISD Gilmer Elementary School	31,900
Palestine ISD Palestine High School	25,000
VIRGINIA	366,930
School Board of Arlington County Drew Model School	38,200
VIRGINIA (cont'd)	
Fairfax County Public Schools Timber Lane Elementary School	$ 84,100
Goochland County School Board Cardwell Elementary School	82,780
Richmond Public Schools Elkhardt Middle School Huguenot High School	161,850
SPECIAL PROJECTS	4,339,000
Guam Department of Education	622,095
New York State Department of Education	1,500,000
Puerto Rico Department of Education	428,496
Trust Territory of the Pacific Islands	204,303
Virgin Islands Department of Education	1,584,106
TOTAL	$ 6,834,184

APPENDIX I. EVALUATION CONTRACTS, ESAA: FISCAL YEAR 197

Grantee	Amount Awarded	Grantee	Amount Awarded
System Development Corporation Santa Monica, Calif. (Evaluation of the ESAA Basic LEA Program)	$1,348,309	*Educational Testing Service Princeton, N. J. (A Study of the Identification of Exemplary Desegregated Schools and Evaluation of the Determinants of Success)	$ 997,934
System Development Corporation Santa Monica, Calif. (Longitudinal Evaluation of the ESAA Pilot Projects Program)	931,691		
TOTAL	$ 2,280,000		

*Allocated from fiscal year 1973 supplemental appropriation funds.

FEDERAL ASSISTANCE TO DESEGREGATING SCHOOL DISTRICTS

A Report on Activities from
September 1972 to March 1973

Emergency School Aid Act (Title VII, P.L. 92-318)
Emergency School Assistance Program (P.L. 91-380)

As Required Under Provisions of
Section 714, Title VII, P.L. 92-318

U.S. DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE

EDUCATION DIVISION

Office of Education

June 29, 1973

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Foreword

Federal assistance to desegregating school districts during the period immediately prior to the implementation of the Emergency School Aid Act (ESAA) was documented in the report entitled "Federal Assistance to Desegregating School Districts: A Report on Activities from August 1970 to September 1972." That report was issued September 23, 1972.

The report presented here is a continuation of that earlier report. It describes the program development activities which preceded the implementation of ESAA and includes all of the important documents prepared to facilitate that implementation.

Specifically, this report describes the context in which the development process took place, the activities involved in designing program procedures, the methods used to announce funding opportunities to potential applicants, and the expected results of this development activity in terms of funding decisions and revisions in the program.

The next ESAA report will describe in detail the funding decisions made during the Act's first year of implementation.

ESAA assigns administrative responsibility to the Assistant Secretary for Education in the U.S. Department of Health, Education, and Welfare (DHEW). Operation of the Act is delegated by the Assistant Secretary to the Office of Education (OE).

I. CONTEXT OF DEVELOPMENT ACTIVITY

The Emergency School Aid Act was signed into law by President Nixon on June 23, 1972. The law responded to the Congressional finding that "the process of eliminating or preventing minority group isolation and improving the quality of education for all children often involves the expenditure of additional funds to which local educational agencies do not have access" (Sec. 702(a)). The law, therefore, provides financial assistance for the following purposes:

- to meet the special needs incident to the elimination of minority group segregation and discrimination among students and faculty in elementary and secondary schools;
- to encourage the voluntary elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority group students; and
- to aid school children in overcoming the educational disadvantages of minority group isolation.

Funds made available under ESAA are subject to specific activity allocations expressed in the Act. In brief these allocations are as follows:

Activity	% Allocation
*Basic Grants to Local Educational Agencies (LEAs)	59%
*Pilot Projects	15%
*Supportive Nonprofit Organizations	8%
Metropolitan Area Projects	5%
Bilingual/Bicultural Projects	4%
**Educational Television	5%
**Special Projects	3%
Evaluation Contracts	1%
	100%

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*Apportioned to the States based upon the number of minority group children, aged 5 - 17 inclusive, as compared to the number of such children in all States, except that no State shall be apportioned less than a total of $100,000 for the three grant authorizations.

**Allocations to these activities have been changed by regulation as permitted by the Act to increase the amounts available for ETV grants.

A. Budget

The Act authorized the appropriation of $1 billion for ESAA in FY 1973 and a similar amount in FY 1974. It also provided that appropriated funds "shall remain available for obligation and expenditure during the fiscal year succeeding the fiscal year for which they are appropriated."

In his budget for FY 1973 the President asked that approximately half of the authorization, or $444,800,000, be made available for expenditure. In the DHEW supplemental appropriation signed by the President on October 31, 1972, a total of $228 million became available for ESAA in FY 1973. These funds were appropriated only for FY 1973. The amount was divided among the several authorized program areas according to the activity allocations specified by the Act:

Basic LEA Grants	$134.5 million
Pilot Projects	34.2 million
Supportive Nonprofit Organizations	18.2 million
Metropolitan Area Projects	11.4 million
Bilingual/Bicultural Projects	9.1 million
*Educational Television	11.4 million
*Special Projects	6.9 million
Evaluation Contracts	2.3 million
	$228.0 million

To encourage careful planning by potential ESAA applicants while meeting critical emergency needs it was decided to fund applicants in three batches. It was decided that a maximum of $56 million would be made available for grant awards in January 1973 and that of this amount only some $20 million could actually be expended by the grantees in the months remaining in FY 1973. This amount came exclusively from the State apportionment programs and amounted to 30 percent of the total appropriation for such programs. The funds available for the other ESAA programs and the remaining State apportionment funds were to be obligated in two batches in the last quarter of FY 1973 but were not to be expended by the grantees until FY 197[illegible]. (The only exception was the

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*These amounts are based upon changes made in the allocations to activities by regulation as permitted by the Act.

obligation and expenditure of a small percentage of evaluation contract funds in FY 1973.)

This procedure allowed applicants with the most serious problems an opportunity to receive funds as quickly as possible. At the same time it encouraged comprehensive planning by applicants whose problems were less immediate in nature. Since most funds will be obligated to grantees well ahead of their actual expenditure, local program preparations may proceed over the summer months with the firm assurance that the money will be available in the fall when it is needed.

B. Regionalized Administration

Because of the diversity of desegregation related needs which exist nationwide, it was determined that the great majority of ESAA activities would be administered by the 10 OE regional offices. All Federal/client relationships, including developmental assistance, will be the responsibility of the regional office staffs. While final decision making on grant applications initially will be a centralized responsibility based upon recommendations by the Regional Commissioners of Education, it is expected that final decision authority for most of the authorized ESAA programs will eventually be transferred to the Regional Commissioners. The role of the Washington office will be largely one of setting policy, designing procedures for reporting and control, monitoring the effectiveness of the regional offices in carrying out these policies and procedures, upgrading regional office competence in administering ESAA, providing personnel on an emergency basis during peak periods, and conducting national program evaluations.

C. National Advisory Council

Section 716 of the Act mandates the formation of the National Advisory Council on Equality of Educational Opportunity whose primary responsibilities are to

- "advise the Assistant Secretary with respect to the operation of the program authorized by this title, including the preparation of regulations and the development of criteria for the approval of applications; /and/

> - review the operation of the program with respect to its effectiveness in achieving its purpose as stated /previously/..., and with respect to the Assistant Secretary's conduct in the administration of the program..."

Requirements for a regular schedule of meetings and for the submission of several reports to Congress by the Council are also included in the Act.

The appointment of members to the National Advisory Council was announced on January 30, 1973. Its first meeting was held on February 2 and 3. The 1973 schedule for formal meetings of the whole Council was as follows:

February 2, 3	Washington, D.C.
March 2, 3	Arlington, Virginia
April 27	Tampa, Florida
July 12, 13, 14	Portland, Oregon
September 13, 14	Boston, Massachusetts
October 18, 19	San Francisco, California
December 13, 14	Atlanta, Georgia

The Council has played an active role in the development of important administrative policies, particularly in the preparation of the ESAA regulations. Meetings of subcommittees of the Council are scheduled as needed. The dates and locations of all official meetings of the Council are published in advance in the Federal Register. A list of names and addresses of members of the National Advisory Council is presented in Appendix A.

II. DEVELOPMENT OF POLICIES AND PROCEDURES

The Emergency School Assistance Program (ESAP) operated as a forerunner to ESAA during the period in which Congress was developing the final ESAA legislation. Experience with ESAP gave the Department an indication of which strategies for desegregation assistance were likely to be effective and which were not. In addition, experience in administering Title IV of the Civil Rights Act of 1964 (P.L. 88-352) had demonstrated the relative value of various approaches to solving problems resulting from school desegregation. Almost as important as the lessons learned concerning the desegregation process had been the experience gained in the management of these two programs, especially in regard to their regionalization and the use of objective procedures for the review of grant applications. Based on this experience and on that of DHEW in administering large discretionary grant programs, work began on program development as soon as the final outlines of the ESAA legislation became apparent.

A. Formulation of Broad Policy Objectives

The Act describes specific requirements regarding eligibility, State apportionment, local advisory committees, and the National Advisory Council. In other areas, however, discretion has been left to the Assistant Secretary in administering the ESAA program. Therefore, as soon as these areas could be identified, an effort was made to specify implementation procedures and guidelines. To do this, the issues were first identified and analyzed. Then they were explored in issue papers, which were circulated through the Department. The more routine questions were settled at the level of the immediate program administrator. Issues which were not so clear-cut or which involved more fundamental questions were elevated, and several eventually went to the Secretary for decision.

After these issues were resolved, work could get fully under way on the preparation of the many materials needed to guide potential applicants in the development of their ESAA programs.

B. Preparation of Materials for Applicants

The keystone for the development of these materials was the ESAA regulations. This document detailed the requirements for eligibility, for making application, and for administering an ESAA grant. Many questions relating to the administrative operation of this program were resolved in discussions related to the regulations.

The regulations were published in two parts. On December 2, 1972, a Notice of Proposed Rulemaking for the first part was published in the Federal Register. It contained the specific requirements for the award of assistance to local educational agencies for Basic Grants and Pilot Projects and to other public or nonprofit private organizations. It also contained the general provisions for the administration and operation of ESAA and programs assisted under the Act. Before and after publication of the proposed regulations, meetings were held with representatives of interested and concerned constituencies, and their comments, together with those received by mail, were carefully examined. Where appropriate, modifications were made to the proposed regulations. On February 6, 1973, this first part of the regulations was published and became effective. The Notice of Proposed Rulemaking for the second part of the regulations was published on March 2, 1973. It contained the requirements for the award of assistance to metropolitan area projects, bilingual/bicultural projects, educational television projects, and for evaluation contracts and special projects. As in the case of the earlier publication, comments were received and the regulations were published in the Federal Register. They became effective on April 24, 1973. The final versions of both parts of the regulations are included in Appendix B.

At the same time that the regulations were being drafted, work was being done on the funding criteria for each of the award programs. These criteria are summarized in the section of the regulations headed "Criteria for Assistance" pertaining to each award program under ESAA. In addition, full descriptions of the criteria for each program were prepared and sent to each potential applicant who requested information about a specific program. These same documents are used by non-Federal review panels in rating the applications submitted by agencies desiring assistance under the Act. Based on these ratings, applications are placed in a priority rank, with the highest rated applications receiving grant awards.

Appendix C presents the manuals prepared for use by applicants and grantees. The purposes for which they were prepared are to provide guidance in the development of the educational program to be carried out under the grant, to show the steps necessary for meeting the application and program requirements, and to indicate the responsibilities of OE in the areas of technical assistance and monitoring.

The ESAA application forms and instructions are presented in Appendix D.

C. Preparation of Management Guidelines

At the same time that materials were being prepared for ESAA applicants, work was also commencing on the development of the management procedures necessary to handle the large volume of applications. These procedures are being used by the headquarters staff and by the regional office personnel. The management guidelines outline the steps to be taken in reviewing the application budgets, assessing the eligibility of applicant school districts, checking civil rights compliance, and performing other tasks in connection with the processing of applications. In addition, the management manual lays out monitoring procedures to be carried out after the grant has been awarded. In its complete form it is designed to serve as a comprehensive handbook which will answer most questions which ESAA program officers might frequently ask.

The comprehensive manual and the supplements assembled for the set-aside programs are included in Appendix E. (Ordinarily, the management manuals contain copies of the Act, the regulations, the funding criteria, and the application forms but to avoid unnecessary repetition these sections have been omitted from the manual and supplements presented in Appendix E. Also, the forms used internally in the processing of applications are presented in the Comprehensive Management Manual, but to avoid repetition those forms have been omitted from the supplements to the Comprehensive Manual which are included in Appendix E.)

III. ANNOUNCEMENT OF GRANT OPPORTUNITIES

Considerable public interest was focused on the ESAA legislation even before it was passed by Congress. Nine hundred fifty-eight school districts and 257 other public or nonprofit private groups had participated in the interim ESAP which preceded ESAA and which expired January 31, 1973. The ESAP grantees, in particular, followed the progress of the ESAA legislation closely and were in touch with their respective DHEW regional offices soon after passage of the Act.

School districts, State departments of education, and colleges and universities which receive funds under Title IV of the Civil Rights Act were also alert to the progress of the ESAA legislation. In particular, State departments and institutions of higher education which had received technical assistance and/or training grants under Title IV were able to notify the districts with which they were working of the opportunities for desegregation assistance under ESAA.

A. Mailings

These channels, however, could not inform all of the potential applicants of the new opportunities for assistance. For this reason notification was sent to every school district in the Nation and to all of the appropriate nonprofit organizations which could be identified. This notification stated that the Emergency School Aid Act had made funds available for assistance purposes and that information on programs and application procedures could be obtained from the DHEW regional offices. As soon as this mailing went out the regional offices received numerous requests for materials and information, to which they responded as quickly as possible.

B. Meetings with Potential Applicants

Soon after the initial mailing went out, each regional office contacted these same school districts and nonprofit organizations and invited them to informational meetings concerning the purposes of ESAA and the procedures for submitting applications. In most cases the meetings were scheduled at various locations throughout the region so that all potential applicants might easily participate. Program officers from the regional offices, sometimes assisted by Washington representatives, conducted the meetings. They explained the program objectives, discussed application procedures and requirements, and offered further assistance in developing applications.

Supplies of all ESAA informational materials, application forms, and guidelines were available at the meetings. At the close of each meeting potential applicants were given the opportunity to make appointments for individual consultations with regional program officers, including regional representatives of the DHEW Office for Civil Rights. As a result of these meetings many districts requested and received extensive technical and developmental assistance in designing solutions to their desegregation related problems.

C. Application Receipt Dates

For a number of reasons it was considered desirable to establish a series of application receipt dates and to process the applications from LEAs in groups or batches with a certain percentage of ESAA funds reserved for each batch. One motivation behind the establishment of this procedure was the legislative requirement stated in Section 710(d)(2) that the "Assistant Secretary shall not finally disapprove in whole or in part any application for funds submitted by a local educational agency without first notifying the local educational agency of the specific reasons for his disapproval and without affording the agency an appropriate opportunity to modify its application." With more than one application receipt date, any LEA application which was not approved when processed the first time could be returned to the applicant with instructions for revision and resubmission in the next batch. In addition, by having several submission dates, districts which needed longer planning time had that time available, and districts which were more interested in receiving early notification could apply in an earlier batch. Also, the establishment of several receipt dates spread the work load of the regional offices over several months and allowed them to process each application more quickly and more efficiently. Finally, districts which had been receiving assistance under the interim ESAP would have an opportunity to apply for funds in the earliest batch and, if their application was approved, such districts would be able to receive funds immediately and maintain their desegregation assistance programs without interruption.

Three application receipt dates were set, as follows:

	Date for Submission of Application*	Date of Notification of Awards
Batch I	December 26, 1972	January 31, 1973
Batch II	March 5	April 20
Batch III	May 2	June 15

The Batch I dates were published in the Federal Register on December 8, 1972, and the dates for Batches II and III were published on February 23, 1973. These dates were communicated to potential applicants in all written and oral contacts. Funds for grants approved in Batches II and III will be obligated by June 30, 1973, for use during the 1973-74 school year. Applications approved in Batch I, however, received funds immediately for use in the second semester of the 1972-73 school year and for the entire 1973-74 school year. Batch I was limited to applications for Basic Grants, Pilot Projects, and Nonprofit Organization grants. Batch II and III also included applications for Bilingual/Bicultural grants. The processing dates for the other ESAA programs were as follows:

	Date for Submission of Applications*	Date of Notification of Awards
Metropolitan Area Projects	March 30	April 30
Educational Television	March 5	April 20
Special Reading Projects	March 30	May 31

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*In cases where fewer than 30 days elapsed between publication of a batching notice and the application receipt date, the receipt date was not considered firm and was extended where necessary to 30 days after publication.

National evaluation contracts are handled on an individual basis through Requests for Proposals. Such requests are usually announced in Commerce Business Daily and interested parties are provided with a Statement of Work which describes the program background, the study's objectives, the preliminary evaluation design, and proposal requirements. Proposals are reviewed on the basis of the criteria for contractor selection detailed in the regulations. Nearly all procurements are competitive, and awards are based primarily on technical excellence and cost factors.

IV. THE NEXT STEP

The development activities described in this report have now been completed. Applications for ESAA funds are currently being received, and decisions are being made about which applicants will receive assistance for the first year of ESAA program operation. A description of the funding process and of the results of that process will be presented in the next report to Congress, scheduled for August 1973.

As soon as the funding decisions can be analyzed, work will begin on the update of ESAA requirements and materials. Requirements might be streamlined, expanded, or otherwise modified depending on the experience gained in the first stages of implementation of the Act.

APPENDIXES

Appendix A

Members of National Advisory Council

Dale P. Parnell
State Superintendent of
Public Instruction
942 Lancaster Drive, N.E.
Salem, Oregon 97301

Mayor Jackson F. Lee
Mayor's Office
Kyle House
234 Green Street
Fayetteville, North Carolina

Dr. T. Winston Cole, Sr.
Dean of Academic Affairs
Room 231, Tigert Hall
University of Florida
Gainsville, Florida 32601

Mr. Lawerence F. Davenport
Vice President for Development
Tuskegee Institute
Tuskegee Institute, Alabama

Mrs. Wells Awsumb
4411 Walnut Grove Road
Memphis, Tennessee 38117

Abbott Joseph Gerry O.S.B.
Chancellor, St. Anselm's College
St. Anselm's College
Manchester, New Hampshire

Mrs. Carmen A. Rodriquez
564 Leland Avenue
Bronx, New York 10472

Richard E. Pesqueira
Vice President for Student Affairs
New Mexico State University
Las Cruces, New Mexico

Mr. Edward Meyers
27 Duane Lane
Demarest, New Jersey 07627

Mrs. June G. Cameron
812 White Oak Circle
Pittsburg, Pennsylvania

Loftus Carson
9 Round Trail Drive
Pittsford, New York

Dr. Jacquelyne J. Jackson
Associate Professor of
Medical Sociology
Department of Psychiatry
Duke University Medical School
P.O. Box 8522
Durham, North Carolina 27707

Haruko Morita
401 South Lafayette Park Place
Los Angeles, California 90057

Mr. Frederick Mosteller
28 Pierce Road
Belmont, Massachusetts

Mr. Lyman F. Pierce
4515 Edinburg Drive
Dale City, Virginia

Appendix B

Rules and Regulations

federal register

TUESDAY, FEBRUARY 6, 1973
WASHINGTON, D.C.

Volume 38 ■ Number 24

PART III

THE NATIONAL ARCHIVES OF THE UNITED STATES
1934

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

■

EMERGENCY SCHOOL AID

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Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 185—EMERGENCY SCHOOL AID

Notice of propose rule making was published in the FEDERAL REGISTER on December 2, 1972, at 37 FR 25746, setting forth specific requirements for the award of assistance to local educational agencies and other public or nonprofit private agencies, institutions, or organizations under sections 706 and 708(b) of the Emergency School Aid Act (Subparts B, C, and G of the proposed regulation) and general provisions for the administration and operation of programs under the Act (Subparts A, E, and K of the proposed regulation). Comments were received with respect to the faculty ratio requirement for integrated schools projects (§ 185.11(d)(2)(ii)), the definition of "additional cost" (§ 185.13(a)), the amount of data required from applicant local educational agencies (§§ 185.13, 185.23, 185.43), the role of State educational agencies (§§ 185.13(j), 185.63(b)(3)), the inclusion of Public Law 81-874 assistance in computing applicant's maintenance of effort (§ 185.13(l)(2)), possible disclosure of students' individual test scores (§ 185.13(k), 185.44(g)), the weight assigned to objective factors in evaluating local educational agencies' applications for basic grants and pilot projects (§§ 185.14, 185.24), the measurement of applicants' financial and educational needs (§185.14), the basis for rating applications for assistance to prevent minority group isolation (§ 185.14), the requirements for public hearings and the establishment of districtwide and student advisory committees (§§ 185.41, 185.65), the districtwide advisory committee's right to a hearing with the Assistant Secretary (§ 185.41(d)), the definition of an "equitable basis" for participation of nonpublic school students and faculty members (§ 185.42(b)(2)), the prohibition against any payment of salaries of nonpublic school teachers or employees (§ 185.42(h)), the waiver of the nonpublic school participation requirement (§ 185.42(i)), and the relation between applicant nonprofit groups and the local educational agencies they propose to serve (§§ 185.61(d), 185.63(b)(3)). Following review of the comments, the following changes were made:

A—SUMMARY OF CHANGES BASED ON COMMENTS RECEIVED

1. Section 185.13(l)(2) has been amended so that a local educational agency need not include funds received pursuant to Public Law 81-874 in computing its "current expenditure per pupil" for purposes of determining compliance with the requirement as to maintenance of local fiscal effort.

2. Section 185.13(k) has been amended to make it clear that the reporting requirement of § 185.13(k)(1)(iii) refers to averages of test scores, not to individual test data. In addition, the requirement [illegible] § 185.13(k) [illegible] that [illegible] ed by § 185.13(k) be made available to the public has been modified so as not to apply to the reports and records concerning eligibility and compliance as specified in § 185.13(k)(3). Nonetheless, applicants may be required pursuant to § 185.44(g) (which has been reworded), to disclose certain data concerning individual students or employees [illegible] the Secretary or the Assistant Secretary, and are urged to make available to members of the general public such eligibility and compliance information as will not violate individuals' rights of privacy or confidentiality.

3. A number of comments were received as to the amount of information required to be submitted by applicants pursuant to § 185.13. This information is necessary for a determination as to whether applicants are in compliance with various statutory requirements. However, § 185.13(c) has been amended by deleting subparagraph ([illegible]) on the ground that the information required therein does not materially assist in making the required determination as to compliance with section 710([illegible])(10)(A) of the Act.

4. Section 185.24(a) has been amended to reduce the weight given to "effective net reduction of minority group isolation" in rating applications by local educational agencies for pilot projects. Since such projects are designed for students in minority group isolated schools where reduction or elimination of such isolation is difficult or impossible, a maximum of 30 points, rather than [illegible], will be awarded to applicants for such assistance on the basis of their district-wide efforts to reduce or eliminate such isolation. A number of commenters urged that a similar change be made with respect to basic grants, but the emphasis in section 706(a) of the Act on reduction of isolation, and the importance of such reduction in determining the need for basic grant assistance, made such a revision inadvisable.

5. Section 185.41(b) has been amended to clarify the requirement that the "minutes" of the required public hearing be submitted with a local educational agency's application for assistance. Such minutes need not be a verbatim transcript of the hearing, but must include, at a minimum, the time, date and location of the hearing, the number of persons in attendance, and a brief summary of the views expressed.

6. Section 185.41(c)(2) has been amended to require applicant local educational agencies to consult with the appropriate teachers' organization before selecting teachers to serve on the required district-wide advisory committee, and to authorize such agencies to delegate such selections to the appropriate organization.

7. Section 185.41(c)(4) has been amended to permit adult members of district-wide advisory committees to select more than the minimum number of secondary school students to serve on the committee, and § 185.41(h) has been amended to allow members of student advisory committee formed after the award of assistance to select additional student members for the district-wide committee [illegible] the racial, ethnic and parental ratios set forth in § 185.41(c)(3) are required to be maintained.

8. Section 185.41(d) has been amended to afford local educational agencies an opportunity to reply to comments or criticisms made by a district-wide advisory committee at a hearing with the Assistant Secretary or his designee.

9. Sections 185.41(g) and 185.65(c) have been amended to require participation by the district-wide advisory committee in the development of any amendments of, or addition to, the proposed program, project, or activity.

10. The definition in § 185.42(b)(2) of an "equitable basis" for participation of nonpublic school students and faculty members in a local educational agency's program, project, or activity has been amended to make it clear that the special needs served in nonpublic nonprofit elementary and secondary schools need not be identical to those served in the public schools.

11. The restriction in § 185.42(h) on payment, with funds awarded under the Act, of salaries for teachers and other employees of nonpublic schools has been reworded to indicate that compensation of such persons for services performed after school hours while not under the direction and control of such schools may be permissible in appropriate cases.

12. In § 185.42(i), the provision that the Assistant Secretary "may" waive the nonpublic school participation requirement in certain cases and arrange for such participation as set forth in the Act has been amended to provide that the Assistant Secretary "shall" do so, in order to conform to the statutory language.

13. Section 185.43(a)(1) has been amended so that educational agencies, in transferring property or services, need not obtain articles of incorporation or similar documents from transferees if such agencies can be satisfied from the legal name and address of the transferee (or its principal) that they are not dealing with a nonpublic school or school system or a person or organization controlling, operating, or intending to establish such a school or school system.

B—OTHER CHANGES

1. Section 185.41(h) has been amended to require that student advisory committees be established by local educational agencies not more than 15 days after the award of assistance or 15 days after the commencement of the academic year for which assistance is awarded, whichever is later.

2. The exception to § 185.43(c)(1) for testing for assignments to remedial language classes has been eliminated because the inclusion of English-dominant children in such classes is encouraged and because such classes, in any event, would not normally account for more

than 25 per centum of the school day classroom periods.

3. Section 185.45 has been amended to make it clear that the provisions as to termination of assistance apply to all recipients of assistance under the Act, except those awarded evaluation contracts under section 713.

4. Appendix A, Grant Terms and Conditions, has been amended to apply to assistance contracts as well as grants, and to conform to the uniform policies regarding Federal financial assistance as set forth in Office of Management and Budget Circular A–102.

5. Other minor changes have been made, either to correct clerical errors or to affect solely technical matters.

C—SUMMARY OF COMMENTS

1. A number of commenters questioned the requirement of § 185.11(d)(2)(ii) that "integrated schools" established or maintained with assistance under the Act have faculties in which the proportion of minority group members is within 10 per centum of the percentage of minority group members residing in the school district served by the applicant or, in certain cases, within 10 per centum of the ratio on the applicant's faculty as a whole. The subdivision in question attempts to make more specific the faculty assignment requirements embodied in the definition of an "integrated school" set forth in section 720(7) of the Act. It should be understood, however, that the requirement in question does not apply to all local educational agencies applying for assistance, but only to those seeking to establish or maintain one or more integrated schools pursuant to § 185.11(d). The faculty assignment requirement for other local educational agencies, set forth in § 185.43(b)(2), is that full-time classroom teachers be assigned to individual schools so as not to identify any school as intended for students of a particular race, color, or national origin.

2. A number of commenters felt that the assurances required pursuant to § 185.13(1), and particularly pursuant to § 185.13(1)(1), improperly refer to transfers, practices, procedures, or other conduct which occurred prior to June 23, 1972, the effective date of the Act. It should be understood that in this regard, § 185.13(1) requires assurances that the applicant has not engaged prior to the date of its application in transfers, practices, procedures, or other conduct proscribed by § 185.43, and that the reference to § 185.43 incorporates the June 23 effective date which is an element of each paragraph of that section. Therefore, only violations occurring or continuing after June 23 are covered by the required assurances.

3. A number of commenters expressed concern that the criteria for assistance in § 185.14, particularly § 185.14(a)(2), do not fairly reward plans for the prevention of minority group isolation. A plan for prevention of such isolation qualifies a local educational agency for assistance under § 185.11(b)(3), and the effectiveness of a program, project, or activity related to such a an, which cannot readily be quantifie will be rated on the basis of the pr rammatic criteria set forth in § 18 4 (§ 185.14(b)(1) has been amended t correct a clerical error and to rewa needs assessment related to preven on of minority group isolation). Local e icational agencies which have impleme ted an effective plan for desegregation o for elimination or reduction of minority roup isolation, and which now are in ne d of assistance to combat resegregation, can apply for a prevention project and arn full credit for the effective net red tion of minority group isolation whic they have already accomplished. Suc agencies which have not previously de gegated or reduced minority group is ation, or which have done so on a relat ely small scale, may also apply for pre ntion projects, but their need for suc assistance, as measured pursuant to § 185.14(a)(2), will be of a lesser deg e.

4. A number of comm nters felt that the criteria set forth i § 185.14 fail to take account of lo al educational agencies' financial and ucational need as described in section 0(c)(1) of the Act. It should be unders od that an applicant's financial need with respect to the program, project, activity to be assisted, is considered i etermining the additional cost to be fu ed pursuant to § 185.13(a) and § 185.1 c)(1). Educational needs are a major actor in awarding points to an applic t on the basis of the needs asses ent criterion (§ 185.14(b)(1)).

5. A number of comm nters objected to the requirement of §§ 185.41(c)(1) and 185.65(b)(1) that plicants designate at least five civic o community organizations to select embers of the applicant's district-wid advisory committees. A similar requ ement was included in the regu tion for the Emergency School Ass ance Program (35 FR 13442, 36 F 16546), and proved effective in insu ng that the required advisory commit es were representative of the commu ty to be served. The required reliance pon civic and community organizatio s is the most effective method of ach ving the statutory objective of involve ent of "representatives of the area to e served" (section 710(a)(3) of the A).

6. A number of com ents were received objecting to the requirement of § 185.41(h) that local e cational agencies establish student a visory committees in secondary sch ls affected by their program, project, r activity. The Assistant Secretary fee that student participation is essentia to the success of programs, project or activities funded under the Act, a d that the student advisory committe requirement is the most effective mean f insuring such participation, in furthe nce of the objectives of section 710(a (3) of the Act. Such committees have b en effective vehicles for student involv nent under the emergency school assist ce program.

7. A number of com ents were received to the effect th State educational agencies have n been given a meaningful role in the application and funding process. Pursuant to the Act, State educational agencies are provided an opportunity to comment to the applicant and the Assistant Secretary in the case of applications under Subparts B and C (§ 185.13(j)), and to the Assistant Secretary in the case of applications under Subpart G (§ 185.63(b)(3)). The Assistant Secretary intends to accord such comments great weight in making decisions as to the award of assistance, and has also invited State educational agencies to participate in providing leadership and technical assistance to applicants and grantees and in monitoring programs, projects, and activities assisted under the Act. In addition, State educational agencies may be eligible to apply for assistance under subpart G, for programs, projects, or activities related to local educational agencies implementing eligible plans.

8. A number of commenters questioned the stipulation in § 185.61(d)(2) that a request by a local educational agency is required before a public or nonprofit private applicant can be assisted to support the development of a plan or project described in § 185.11. The stipulation reflects the determination that it would not further the purposes of the Act to assist the development of a plan for a local educational agency which had shown no interest in its development or implementation.

9. A number of commenters also questioned the absence of a stipulation such as that described in paragraph 8 above with respect to public or nonprofit private applicants seeking assistance to support the implementation of a plan or project described in § 185.11. While the regulation, in §§ 185.63(b)(3), 185.64(b)(1)(1), and 185.64(b)(3)(1)(a), rewards such applicants for efforts to cooperate and coordinate with the appropriate local educational agency, there was no basis for a determination that no program, project, or activity assisted under Subpart G could succeed without being initially requested by the local educational agency.

10. One comment was received to the effect that the regulatory provisions cited in paragraph 9 above with respect to cooperation and coordination between local educational agencies and public or nonprofit private applicants unfairly gave local educational agencies a "veto" power over Subpart G applications. While the Assistant Secretary strongly encourages such cooperation and coordination, the regulation does not penalize a Subpart G applicant which has sought in good faith, but failed, to establish a working relationship with the appropriate local educational agency.

11. A number of other comments were received regarding such matters as public hearings (§ 185.41(b)), advisory committee participation (§§ 185.41 (a), (d), (e), and (g)), and limitations on eligibility (§§ 185.43, 185.44), which are governed or required by specific provisions of the Act and which therefore could not be changed as suggested.

12. A number of comments were received as to whether the definition of "additional cost" in § 185.13(a) excludes assistance for any indirect costs associated with a proposed program, project, or activity. The regulatory definition does not necessarily exclude such costs, but requires them to be actual, incremental costs attributable to the program, project, or activity to be assisted. The allowability of claimed indirect costs will be determined on a case-by-case basis in the light of § 185.13(a).

After consideration of the above comments and consultation with the National Advisory Council on Equality of Educational Opportunity as set forth in section 716 of the Act, Part 185 of Title 45 of the Code of Federal Regulations as proposed is hereby adopted.

Federal financial assistance provided pursuant to the Emergency School Aid Act is subject to the regulation in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare and approved by the President, to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d). Such assistance is also subject to Title IX of the Education Amendments of 1972 (20 U.S.C. 1681).

Effective date. As appears from the above summary, the modifications herein do not involve any changes of a substantial nature from the provisions which were published in the FEDERAL REGISTER on December 2, 1972, as proposed rule making. Accordingly, this regulation shall be effective on February 6, 1973.

Date: January 29, 1973.

S. P. MARLAND, Jr.,
Assistant Secretary for Education.

Approved: January 30, 1973.

FRANK C. CARLUCCI,
Acting Secretary of Health, Education, and Welfare.

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APPENDIX A—GRANT TERMS AND CONDITIONS

AUTHORITY: Except as specifically noted below, the provisions of this Part 185 are issued under Title VII of Public Law 92–318, 86 Stat. 354–371 (20 U.S.C. 1601–1619).

Subpart A—Purpose

§ 185.01 Purpose.

Programs, projects, or activities assisted under the Act shall be for the purpose of achieving one or more of the following objectives:

(a) Meeting the special needs incident to the elimination of minority group segregation and discrimination among students and faculty in elementary and secondary schools;

(b) Eliminating, reducing, or preventing minority group isolation in elementary and secondary schools with substantial proportions of minority group students;

(c) Aiding school children in overcoming the educational disadvantages of minority group isolation.

(Public Law 92–318, section 702(b))

§ 185.02 Definitions.

Except as otherwise specified, the following definitions shall apply to the terms used in this part:

(a) The term "Assistant Secretary" means the Assistant Secretary of Health, Education, and Welfare for Education.

(Public Law 92–318, section 720(1))

(b) The term "elementary school" means a day or residential school which provides elementary education, as determined under State law.

(Public Law 92–318, section 720(3))

(c) The term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the provision of educational services, such as instructional equipment and necessary furniture, printed, published, and audio-visual instructional material, and other related material.

(Public Law 92–318, section 720(4))

(d) The term "institution of higher education" means an educational institution in any State which:

(1) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) Is legally authorized within such State to provide a program of education beyond high school;

(3) Provides an educational program for which it awards a bachelor's degree, or provides not less than a 2-year program which is acceptable for full credit toward such a degree, or offers a 2-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semi-professional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge;

(4) Is a public or other nonprofit institution; and

(5) Is accredited by a nationally recognized accrediting agency or association listed by the Commissioner of Education for the purposes of this paragraph.

(Public Law 92–318, section 720(5))

(e) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or a federally recognized Indian reservation, or such combination of school districts, or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools, or a combination of local educational agencies; and includes any other public institution or agency having administrative control and direction of a public elementary or secondary school and where responsibility for the control and direction of the activities in such schools which are to be assisted under the Act is vested in an agency subordinate to such a board or other authority, the Assistant Secretary may consider such subordinate agency as a local educational agency for purposes of the Act.

(Public Law 92–318, section 720(8))

(f) (1) The term "minority group" refers to (i) persons who are Negro, American Indian, Spanish-surnamed American, Portuguese, Oriental, Alaskan natives, and Hawaiian natives, and (ii) (except for purposes of section 705 of the Act), as determined by the Assistant Secretary, persons who are from environments in which a dominant language is other than English and who, as a result of language barriers and cultural differences, do not have an equal educational opportunity.

(2) The term "Spanish-surnamed American" includes persons of Mexican, Puerto Rican, Cuban, or Spanish origin or ancestry.

(Public Law 92–318, section 720(9))

(g) The terms "minority group isolated school" and "minority group isolation" in reference to a school mean a school and condition, respectively, in which minority group children constitute more than 50 percent of the enrollment of a school.

(Public Law 92-318, section 720(10))

(h) The term "secondary school" means a day or residential school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12.

(Public Law 92-318, section 720(12))

(i) The term "State" means one of the 50 States or the District of Columbia. For purposes of section 708(a) of the Act, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be deemed to be States.

(Public Law 92-318, section 720(14))

(j) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law for such purpose.

(Public Law 92-318, section 720(15))

(k) The term "desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" does not mean the assignment of students to public schools in order to overcome racial imbalance.

(42 U.S.C. 2000c(b))

(l) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(m) The term "nonprofit" as applied to a school, agency, organization, or institution, means a school, agency, organization, or institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(Public Law 92-318, section 720(11))

(n) The term "the Act" means the Emergency School Aid Act (title VII of Public Law 92-318).

§ 185.03 General terms and conditions.

Grants and assistance contracts awarded pursuant to this part shall be subject to the general terms and conditions attached as Appendix A to this part.

(Public Law 92-318, title VII)

§§ 185.04–185.10 [Reserved]

Subpart B—Basic Grants

§ 185.11 Eligibility for assistance.

(a) *Plans pursuant to court or agency order.* (1) A local educational agency may apply for assistanc under this subpart if it is implementin a plan which has been undertaken pu uant to a final order issued by a cour of the United States, or a court of an State, or any other State agency or ficial of competent jurisdiction, and which requires the desegregation of inority group segregated children or fa ulty in the elementary and secondary hools of such agency, or otherwise req ires the elimination or reduction of inority group isolation in such schools or purposes of this subparagraph, a Sta agency or official of competent jur diction means any State agency or off ial authorized pursuant to State law t issue such an order.

(2) A local education l agency may apply for assistance unde this subpart if it is implementing a plan hich has been approved by the Secret y as adequate under title VI of the Civ Rights Act of 1964 for the desegregat n of minority group segregated childre or faculty in the schools of such agenc

(Public Law 92-318, section 6(a)(1)(A))

(b) *Nonrequired plan* (1) A local educational agency may pply for assistance under this subpa without having been required to do s it has adopted and is implementing, or w l, if assistance is made available to it der this subpart, adopt and impleme t, a plan for the complete eliminati of minority group isolation in all the inority group isolated schools of such agency. The term "complete eliminat n of minority group isolation," for p poses of this subparagraph, refers to condition in which no school operat d by a local educational agency has or will have (upon implementation o such plan) a minority group enrollmen of more than 50 percent, where (prior to the implementation of such plan) inority group children attended one o more schools operated by such agency n which they constituted more than 50 ercent of the enrollment.

(2) A local educationa agency may apply for assistance unde this subpart if it has adopted and is mplementing, or will, if assistance is ma e available to it under this subpart, ad t and implement, a plan to elimin e or reduce minority group isolation one or more of the minority group isol ed schools of such agency, or to reduce e total number of minority group ch dren who are enrolled in minority oup isolated schools of such agency.

(i) Elimination of mino ity group isolation, for purposes of this ubparagraph, refers to a change in the nrollment of one or more schools oper ed by a local educational agency (pur ant to such plan) whereby the propor on of minority group children attend g such school or schools is reduced fro a proportion greater than 50 percent t a proportion of 50 percent or less.

(ii) Reduction of m ority group isolation, for purposes of his subparagraph, refers to the redu ion, but not below 50 percent (purs nt to such plan), of the proportio of minority group children attending one or more schools operated by a local educational agency at which school or schools such children constitute more than 50 percent of the enrollment.

(3) A local educational agency may apply for assistance under this subpart if it has adopted and is implementing or will, if assistance is made available to it under this subpart, adopt and implement a plan to prevent minority group isolation reasonably likely to occur (in the absence of assistance under this subpart) in any school operated by such agency in which school at least 20 percent but not more than 50 percent, of the enrollment consists of minority group children.

(4) A local educational agency may apply for assistance under this subpart if, without having been required to do so, it has adopted and is implementing, or will, if assistance is made available to it under this subpart, adopt and implement, a plan to enroll and educate in the schools of such agency children who would not otherwise be eligible for enrollment because of nonresidence in the school district of such agency, where such enrollment would make a significant contribution toward reducing minority group isolation in one or more of the school districus to which such plan relates. Such a plan shall not be deemed to make a significant contribution toward reducing minority group isolation unless such plan involves the enrollment by a local educational agency of at least 25 children who would not otherwise be eligible for enrollment because of nonresidence in the school district of such agency. Reducing minority group isolation in one or more school districts, for purposes of this subparagraph, refers to actions undertaken by a local educational agency (pursuant to such plan) which has any of the effects described in subparagraphs (1), (2)(i), or (2)(ii) of this paragraph.

(5) A local educational agency shall be deemed to have adopted and implemented a plan described in this paragraph without having been required to do so, if such plan has not been undertaken pursuant to a final order issued by a court of the United States, or a court of any State, or any other State agency or official of competent jurisdiction, or has not been required and approved by the Secretary under title VI of the Civil Rights Act of 1964, notwithstanding the fact that such plan may be required by, or such local educational agency may be acting pursuant to, the Constitution and laws of the United States or of any State.

(Public Law 92-318, sections 706(a)(1)(B), (C), and (D), 720(10))

(c) *Implementation of a plan.* (1) For purposes of determining eligibility for assistance under this subpart, a local educational agency shall be deemed to be implementing a plan if it is operating its school system in accordance with the requirements of such plan. The eligibility of a local educational agency for consideration under the Act shall not be affected by the date on which its plan was adopted, or ordered to be adopted, or by the fact that the steps to be taken under the plan have been completed.

(2) Where the eligibility of a local educational agency is based on a plan described in paragraph (b) of this section, such agency shall provide assurances and information satisfactory to the Assistant Secretary that such plan has been adopted and implemented, or will be adopted and implemented if assistance is made available to it under this subpart, including:

(i) A copy of a school board resolution or other evidence of final official action adopting and implementing such plan, or adopting and agreeing to implement such plan upon the award of assistance under the Act; and

(ii) In the case of a plan to be implemented upon the award of assistance under the Act, evidence that notice of the contents of such plan and of the intent to implement it upon the award of such assistance has been published in a newspaper of general circulation serving the school district of such agency no later than 20 days prior to submission by such agency of an application for such assistance.

(3) An application of a local educational agency for assistance under this subpart shall be accompanied by (i) a complete copy of the plan, including all relevant legal documents, which such agency has adopted and is implementing (or will adopt and implement if such assistance is made available) and upon which such agency bases its application for such assistance; (ii) a summary of the present requirements for such plan; and (iii) a concise statement showing the relationship between such plan and the program, project, or activity for which such assistance is sought.

(Public Law, 92-318, sections 706(a)(1)(B), (C), and (D), 707)

(d) *Integrated schools projects.* (1) A local educational agency in the schools of which more than 50 percent of the number of children enrolled are minority group children, which agency has applied for and will receive assistance under subpart C of this part, may apply for assistance under this subpart, in an amount not to exceed the sum to be awarded under subpart C of this part, for the establishment or maintenance of one or more integrated schools.

(2) (i) For purposes of this paragraph, an integrated school must have an enrollment in which (*a*) at least 40 percent of the children are from families whose income is higher than the median family income for the school district served by the local educational agency (or the appropriate governmental unit for which such information is available), or (*b*) at least 50 percent of the children currently score at or above the 60th percentile on a recognized standard reading achievement test when compared with students of comparable age or grade level in the schools of such agency as a whole, and in which the number of nonminority group children constitutes that proportion of the enrollment which will achieve stability (in no event more than 65 percent of such enrollment, nor less than the proportion of nonminority children in attendance at all the schools operated by such agency).

(ii) For purposes of this paragraph, an integrated school must have a faculty in which (*a*) the percentage of minority group teachers, supervisors, and administrators, taken together, is within 10 percent of the percentage of minority group members residing in the school district served by the local educational agency (or the appropriate governmental unit for which such information is available), or (*b*) where the percentage of minority group teachers, supervisors, and administrators, taken together, has increased by 10 percent or more over the 3 fiscal years immediately preceding the year or years for which assistance is sought under this paragraph, the percentage of such personnel is within 10 percent of the percentage which exists in the faculty of such agency as a whole.

(Public Law 92-318, sections 706(a)(3), 720(7))

§ 185.12 Authorized activities.

(a) The following activities are authorized to be carried out with financial assistance made available under this subpart when such activities would not otherwise be funded and are designed to carry out the purposes described in § 185.01. Such activities shall be directly related to, and necessary to, the implementation of a plan or project described in § 185.11:

(1) Remedial services, beyond those provided under the regular school program conducted by the local educational agency, including student to student tutoring, to meet the special needs of children (including gifted and talented children) in schools which are affected by a plan or project described in § 185.11, when such services are deemed necessary to the success of such plan or project;

(2) The provision of additional professional or other staff members (including staff members specially trained in problems incident to desegregation or the elimination, reduction, or prevention of minority group isolation) and the training and retraining of staff for such schools;

(3) Recruiting, hiring, and training of teacher aides;

(4) Inservice teacher training designed to enhance the success of schools assisted under the Act through contracts with institutions of higher education, or other institutions, agencies, and organizations individually determined by the Assistant Secretary to have special competence for such purpose;

(5) Comprehensive guidance, counseling, and other personal services for children in schools affected by a plan or project described in § 185.11;

(6) The development and use of new curricula and instructional methods, practices, and techniques (and the acquisition of instructional materials relating thereto) to support a program of instruction for children from all racial, ethnic, and economic backgrounds, including instruction in the language and cultural heritage of minority groups;

(7) Educational programs using shared facilities for career education and other specialized activities;

(8) Innovative interracial educational programs or projects involving the joint participation of minority group children and other children attending different schools, including extracurricular activities and cooperative exchanges or other arrangements between schools within the same or different school districts;

(9) Community activities, including public information efforts in support of a plan, program, project, or activity described in the Act;

(10) Administrative and auxiliary services to facilitate the success of the program, project, or activity assisted under this subpart;

(11) Planning programs, projects, or activities assisted under this subpart, the evaluation of such programs, projects, or activities, and dissemination of information with respect to such programs, projects, or activities;

(12) Repair or minor remodeling, or alteration of existing school facilities (including the acquisition, installation, modernization, or replacement of instructional equipment) and the lease or purchase of mobile classroom units or other mobile education facilities.

(Public Law 92-318, sections 702(b), 707(a))

(b) The activities authorized under paragraphs (a) (10) and (11) of this section shall be assisted only as part of, and in conjunction with, a comprehensive educational program, project, or activity designed to carry out the purposes described in § 185.01.

(Public Law 92-318, sections 702(b), 707(a))

(c) Applications by local educational agencies for assistance under this subpart shall include an assurance that in the case of a proposed program or project which includes activities authorized under paragraph (a)(3) of this section, preference in recruiting and hiring teacher aides shall be given to parents of children attending schools assisted under the Act.

(Public Law 92-318, section 707(a)(3))

(d) The term "repair or minor remodeling or alteration," for purposes of paragraph (a)(12) of this section, means the making over or remaking, in a previously complete building or facility, of space used or to be used for activities otherwise authorized by this section, where such making over or remaking is necessary for effective use of such space for such purpose and where no other space is available for such use. The term does not include building construction, structural alterations to buildings, building maintenance, or general or large-scale renovation of existing buildings or facilities. In no case may more than 10 percent of the amount made available to the applicant under this subpart be used for activities authorized under paragraph (a)(12) of this section.

(Public Law 92-318, section 707(a)(12))

§ 185.13 Applications.

An applicant [illegible] assistance under this subpart for any fiscal year shall submit to the Assistant Secretary an application therefor for that fiscal year, which application shall set forth a program, project, or activity under which, and such policies and procedures as will assure that, the applicant will use the funds received under this subpart only for the activities set forth in § 185.12. Such application, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and by the Assistant Secretary. Such application shall contain the following:

(a) *Additional cost.* An assurance that funds paid to the applicant under such application will be used solely to pay the additional cost to the applicant in carrying out the program, project, or activity described in the application, and that the funds requested in the application represent the additional cost to the applicant arising out of activities authorized under the Act, above that of the activities normally carried out by such applicant.

(1) In determining whether a cost of an activity for which assistance is sought under the Act is an additional cost, for purposes of this paragraph, the Assistant Secretary shall take into account only the actual, incremental cost of such activity. Incremental costs, for purposes of this paragraph, are those costs which can be identified specifically with a particular cost objective related solely to the activity to be assisted, and are not those costs incurred for a common or joint purpose benefiting any cost objective or objectives not so related to such activity.

(2) The cost of an activity which was supported by an applicant with funds from other sources during the fiscal year preceding the fiscal year or years for which assistance is sought under the Act, and for which funds available from such other sources for the fiscal year or years for which such assistance is sought have not been reduced except by the action of such applicant, shall not be considered as an additional cost to such applicant.

(Public Law 92-318, sections 706(c), 710(a)(4))

(b) *Administration by applicant.* An assurance that the program for which assistance is sought will be administered by the applicant, and that any funds received by the applicant under the Act, and any property derived therefrom, will remain under the administration and control of the applicant;

(Public Law 92-318, section 710(a)(5))

(c) *Unavailability of non-Federal funds.* An assurance that the applicant is not reasonably able to provide, out of non-Federal sources, the assistance for which application is made;

(Public Law 92-318, section 710(a)(6))

(d) *Evaluation.* An assurance that the applicant will cooperate with the Assistant Secretary or any State educational agency [illegible] er education, [illegible] ution, or [illegible] mittee established [illegible] 1(a), in the [illegible] Secretary or [illegible] or organizations [illegible] ograms, projects [illegible] under the Act. [illegible] re the establishment [illegible] of control groups [illegible] may include a [illegible] rviews with, [illegible] ent tests, and [illegible] its administrators [illegible] principals [illegible] or project [illegible] mbers at random [illegible] Such evaluations [illegible] applicant to [illegible] e in the organization of the [illegible] recordkeeping. [illegible] ppropriate by [illegible] rticipation by [illegible] on conducted [illegible] shall be considered [illegible] requirements [illegible] paragraph (E) [illegible]

(Public Law [illegible] 0(a)(15), 713)

[illegible] n. An assurance [illegible] ll carry out, [illegible] sions, terms, [illegible] n, program, [illegible] which a determination [illegible] y for assistance [illegible] d:

(Public Law [illegible] 10(a)(9))

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(Public Law [illegible] 710(a) [illegible] 0)(A))

[illegible] rance that [illegible] any other [illegible] be used in [illegible] available [illegible] consistent [illegible] and a [illegible] atement of procedures employed by the applicant to coordinate its proposed program, project, or activity under the Act with projects conducted pursuant to Titles I, III, and VII of the Elementary and Secondary Education Act of 1965 and Title IV of the Civil Rights Act of 1964. Coordination with respect to the assurance required by this paragraph, includes the following policies or procedures:

(1) Taking all practicable steps to obtain Federal assistance under any other law of the United States for which the applicant is eligible;

(2) Applying funds made available under the Act in such manner as not to duplicate or counteract the effects of funds made available under such other laws; and

(3) When practicable, applying funds made available under the Act so as to increase the impact or effectiveness of funds made available under such other laws, or to provide the same or similar benefits to children in need of, but not able to participate in, programs conducted under such other laws.

(Public Law 92-318, secs. 710(a)(8), 710(a)(10)(B); Senate Rept. No. 92-798, p. 217)

(i) *Maintenance of effort.* (1) An assurance (i) that the applicant has not reduced its fiscal effort for the provision of free public education for children in attendance at its schools for the fiscal year or years for which assistance is sought under the Act to less than that of the second preceding fiscal year, and (ii) that the current expenditure per pupil which such agency makes from revenues derived from its local sources for the fiscal year or years for which assistance under the Act will be made available to the applicant is not less than such expenditure per pupil which such agency made from such revenues for (*a*) the fiscal year preceding the fiscal year during which the agency began implementation of the plan with respect to which assistance is sought under the Act, or (*b*) the third fiscal year preceding the first fiscal year for which assistance will be made available under the Act, whichever is later; and (2) a statement of total local revenues available for expenditure and the tax rate applied by the responsible governmental unit for the fiscal year for which assistance is sought and for the second preceding fiscal year, and of the current expenditure per pupil from revenues derived from local sources for (i) the first fiscal year for which assistance is sought, (ii) the fiscal year preceding the fiscal year during which the agency began implementation of its plan, and (iii) the third fiscal year preceding the first fiscal year for which assistance is sought. The term "current expenditure per pupil," for purposes of this paragraph, means the expenditure for free public education, including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities (but not including expenditures for community services, capital outlay an[illegible] penditure made [illegible] funds [illegible] under any Federal [illegible] program of assistance), divided by the number of children in average daily attendance to whom the agency provided free public education during the year for which the computation is made. This paragraph shall not be construed to disqualify an agency whose fiscal effort or current expenditure per pupil has been reduced solely as part of a comprehensive State plan to reorganize public educational financing (without regard to funds made available or to be made available under the Act), where the effect of such plan is to maintain or increase the combined State and local fiscal effort or expenditure per pupil.

(Public Law 92-318, sections 710(a)(18), 710(a), 720(2))

(j) *State agency review.* An assurance that the appropriate State educational agency has been given at least 15 days to offer recommendations to the applicant, and a statement indicating the State official or agency to whom the proposed program, project, or activity has been submitted for such recommendations, and the date of such submission. No application for assistance shall be approved less than 10 days after a copy of said application has been submitted by the Assistant Secretary to the appropriate State educational agency for comment, unless the Assistant Secretary has received comments from such agency upon such application prior to expiration of the 10-day period.

(Public Law 92-318, section 710(a)(14))

(k) *Reports and information.* An assurance that the applicant will submit such reports containing such information in such form as the Secretary or the Assistant Secretary may require in order to carry out their functions under the Act, and that the applicant will keep such records and afford such access thereto as will be necessary to assure the correctness of such reports and to verify them.

(1) In the case of reports relating to performance and evaluation of the approved program, project, or activity, such reports shall provide objective measurement of the change in educational achievement and other changes effected with assistance provided under the Act, including:

(i) Specific evidence of progress toward achievement of the goals stated in the applicant's project application;

(ii) Specific evidence as to the impact of assistance provided under the Act upon related programs and upon the community served by the applicant, and

(iii) Specific information, such as averages of standardized achievement test scores, relating to educational achievement of children in the schools of the applicant, and to the effect of assistance provided under the Act upon the educational performance of such children.

(2) Copies of the reports and records referred to in subparagraph (1) of this paragraph shall be made available by the

[illegible] pliance of [illegible] and such [illegible] eligible for [illegible] ers of the [illegible] ble to the [illegible] 185.43, in- [illegible] transfers of [illegible] any other [illegible] cruitment, [illegible] demotion, [illegible] of instruc- [illegible] er person- [illegible] y §§ 185.43 [illegible]

[illegible] gnment of [illegible] and to any [illegible] the appli- [illegible] defined in [illegible] § 185.4[illegible]

[illegible] practices [illegible] 185.43(d), [illegible] as to dis- [illegible] d punish- [illegible] and the [illegible] and non- [illegible] ery school [illegible]

(Public Law [illegible] (d), 710(a) [illegible] (c))

[illegible] bility re- [illegible] ance that [illegible] d prior to [illegible] assistance [illegible] ngage sub- [illegible] transfer of [illegible] riminatory [illegible] ch schools [illegible] students, [illegible] staff serv- [illegible] 185.42) in [illegible] hat if such [illegible] lication for [illegible] been made [illegible] of names [illegible] schools or [illegible] or organi- [illegible] or intend- [illegible] l or school [illegible] has trans- [illegible] y, by gift, [illegible] any [illegible] made avail- [illegible] 23, 1972. [illegible] applicant [illegible] effect prior [illegible] n for as- [illegible] ll not have [illegible] nt to such [illegible] procedure [illegible] personnel [illegible] that if such [illegible] cation for [illegible] made to [illegible] atement of [illegible] class- [illegible] head [illegible] year [illegible] the year in [illegible] implemented

[illegible] portion of a plan for desegregation or [illegible] elimination or reduction of minority group isolation in its schools pursuant to an order of a Federal or State court or administrative agency, or (b) the year in which the applicant first implemented any portion of a plan described in subpart [illegible] of this part, whichever is earlier, and of the number of athletics head coaches, by race, as of the date of its application;

(3)(i) An assurance that the applicant has not had or maintained in effect prior to the date of its application for assistance under the Act, and will not have or maintain in effect subsequent to such date, any procedure for assignment of children to classes in violation of § 185.43(c) (or that if such a violation has occurred, application for a waiver of ineligibility has been made to the Secretary); and (ii) a statement of the total number of children assigned by the applicant as of the date of the application to all-minority or all-nonminority classes for more than 25 percent of the school day classroom periods, with an educational justification or explanation for any such assignments;

(4)(i) An assurance that the applicant has not had or maintained in effect prior to the date of its application for assistance under the Act, and will not have or maintain in effect subsequent to such date, any practice, policy, or procedure which results in discrimination against children in violation of § 185.43(d) (or that if such violation has occurred, application for a waiver of ineligibility has been made to the Secretary); (ii) a statement of the enrollment, by race, in classes maintained by the applicant as of the date of its application for the mentally retarded or for children with other learning disabilities; (iii) a statement of the number and percentage of students enrolled in the first grade of the applicant's schools as of the date of its application whose primary home language is other than English; (iv) if the number of children listed pursuant to subdivision (iii) of this subparagraph is greater than 100, or the percentage listed pursuant thereto is greater than 5 percent, a statement of the averages of the most recent standardized reading achievement scores, by race or ethnic group, for students enrolled in the third and sixth grades of the applicant's schools (or the nearest grades for which such scores are available) as of the date of its application; and

(5) An assurance that the applicant will carry out and comply with the terms of the agreement upon which its waiver of ineligibility (if any) by the Secretary is based.

(Public Law 92-318, section 706(d))

(m) *Compliance with applicable laws.* An assurance that the applicant is familiar with, and will comply with the provisions of, all applicable regulations, grant or contract terms, conditions and requirements; and

(n) *Transportation.* An assurance that no funds made available under the Act will be used for the transportation of students or teachers (or for the purchase of equipment [illegible] order to overcome racial imb[illegible] carry out a plan for racial desegregation, when the time or distance of travel is so great as to risk the health of the children involved or significantly impinge on the educational process of such children, or where the educational opportunities available at the school to which it is proposed that any such student be transported will be substantially inferior to those opportunities offered at the school to which such student would otherwise be assigned under a nondiscriminatory system of school assignments based on geographic zones established without discrimination on account of race, religion, color, or national origin.

(Public Law 92-318, section 802(a))

§ 185.14 Criteria for assistance.

(a) *Objective criteria.* In approving applications for assistance by local educational agencies under this subpart, the Assistant Secretary shall apply the following objective criteria (90 points):

(1) The need for such assistance, as indicated by the number and percentage of minority group children enrolled in the schools of such agency for the fiscal year or years for which assistance is sought, as compared to other school districts in the State (30 points); and

(2) The effective net reduction in minority group isolation (in terms of the number and percentage of children affected), in all the schools operated by such agency accomplished or to be accomplished by the implementation of a plan or project described in § 185.11 and the program, project, or activity to be assisted (60 points). The term "effective net reduction in minority group isolation," for purposes of this subparagraph, means (i) the weighted net change effected or to be effected by such plan or project in the number of minority group children enrolled in minority group isolated schools operated by such agency, and (ii) the weighted net total of minority group children placed or to be placed as a result of such plan or project in a school in which the proportion of minority group children has been reduced (but remains greater than 50 percent). Minority group children placed as a result of such plan or project in schools in which the proportion of minority group children has been increased (and is greater than 50 percent) shall be counted against the reduction credited to such agency under this subparagraph. Such effective net reduction shall be computed between the fiscal year (or relevant portion thereof) immediately preceding implementation of such plan or project and the first fiscal year (or relevant portion thereof) for which assistance is sought under the Act.

(Public Law 92-318, sections 710(c)(1), (2) and (3))

(b) *Educational and programmatic criteria.* The Assistant Secretary shall determine the educational and programmatic merits of applications for assistance by local educational agencies under this subpart on the basis of the following criteria (45 points):

(1) [illegible] points). (i) The [illegible] ssed by the applicant in addition to [illegible] esegregation, elimination, reduction, or prevention of minority group isolation, [illegible] r the educational [illegible] of [illegible] ch isolation, and [illegible] to which the applicant [illegible] standardized achievement test data or [illegible] her objective evidence [illegible] uch needs.

(2) Statement of objec[illegible] es (5 points). The [illegible] to which [illegible] he applicant sets out specific measur[illegible] le objectives for the [illegible] project, [illegible] r activity, in relation to the needs iden[illegible] fied; and

(ii) The extent to which [illegible] (c) the program, project, or activity [illegible] o be assisted [illegible] address the needs [illegible] in the ap[illegible] lication, and (b) each program, project, [illegible] t, or activity involves to the fullest ext[illegible] t practicable the local educational [illegible] ources, both public and [illegible] of [illegible] community to be served.

([illegible]) [illegible] s)—(i) *Project* [illegible] he extent to which [illegible] the proposed s[illegible] vices are concentrated upon a group [illegible] participants which [illegible] limi[illegible] and specific to give promise of mea[illegible] rable growth for each participant, (b [illegible] such services are [illegible] intensive [illegible] give promise of [illegible] (c) the [illegible] proposed program, project, or activity [illegible] mphasizes individualized instruction [illegible] services; (d) students [illegible] afforded an opportunity to contribute [illegible] , and suggest changes in, the proposed [illegible] rogram, project, or activity; and (e [illegible] the proposed program, project, or activ[illegible] promotes interracial and intercultur[illegible] understanding.

(ii) *Staffing (3 points).* The extent to which the application [illegible] sets out an adequate staffing plan [illegible] ich includes provisions for [illegible] imum use of present staff capabilities [illegible] and (b) provides for continuing trai[illegible] ng of staff in order to increase the effe[illegible] iveness of the proposed program, proje[illegible] or activity.

(iii) [illegible] serv[illegible] s (3 points). The extent to which the [illegible] proposed program [illegible] out a [illegible] lan for meeting the [illegible] requirem[illegible] its of the proposed [illegible] a description of [illegible] ntly available facilities and equipment, [illegible] and

(iii) *Parent and comm[illegible] nity involvement (4 points).* The exte[illegible] to which the application delineates [illegible] pecific opportunities for community [illegible] and advisory committee participation [illegible] the development and implementatio[illegible] of the proposed program, project, o[illegible] activity in addition to those required [illegible] § 185.41, and (b) [illegible] such participation has [illegible] d and has in fact occurred.

(4) *Economic managem[illegible] nt (6 points).* The extent to which the a[illegible] plication contains [illegible] that (i) [illegible] e amount of funds requested is of su[illegible] cient magnitude in relation to the n[illegible] mber of participants to be served to [illegible] ve substantial promise of achieving th[illegible] stated objectives, [illegible] of [illegible] oject components are reasonable in [illegible] ation to the expected benefits, (iii) [illegible] the proposed project will be coordinat[illegible] with existing efforts, and (iv) all possible efforts have been made to minimize the amount of funds requested for purchase of equipment necessary for implementation of the proposed program, project, or activity.

(5) *Evaluation (5 points).* The extent to which the application sets out a format for objective, quantifiable measurement of the success of the proposed program, project, or activity in achieving the stated objectives, including (i) a timetable for compilation of data for evaluation and a method of reviewing the program, project, or activity in the light of such data; (ii) a description of instruments to be used for evaluation of the proposed program, project, or activity (and of the method for validating such instruments where necessary), or a description of the procedure to be employed in selecting such instruments; and (iii) provisions for comparison of evaluation results with norms, control group performance, results of other programs, or other external standards.

(6) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(Public Law 92-318, sections 702(b), 710(a)(11), 710(c)(1), (2), (4), and (5))

(c) *Funding criteria.* In determining amounts to be awarded to applicants for assistance under this subpart, the Assistant Secretary shall apply the following criteria:

(1) The additional cost to such applicant (as such cost is defined in § 185.13(a)) of effectively carrying out its proposed program, project, or activity, as compared to other applicants in the State; and

(2) The amount of funds available for assistance in the State under the Act in relation to the other applications from the State pending before him. The Assistant Secretary shall not be required to approve any application which does not meet the requirements of the Act or this part, or which sets forth a program, project, or activity of such insufficient promise for achieving the purposes of the Act that its approval is not warranted. In applying the criterion set out in this subparagraph, the Assistant Secretary shall award funds to applicants from a State (whose applications meet such requirements and are of sufficient promise to warrant approval) in the order of their ranking on the basis of the criteria set out in this section until the sums allotted to such State for the purposes of this subpart have been exhausted.

(Public Law 92-318, sections 705(a)(1), 705(b)(3), 706(b), 710(c)(5))

§§ 185.15–185.20 [Reserved]

Subpart C—Pilot Projects

§ 185.21 Eligibility for assistance.

(a) A local educational agency which is eligible for assistance under § 185.11(a) or (b) may apply for assistance by grant or contract [illegible] pursuant to § 185.95(c), for unusually promising and innovative pilot programs or projects specially designed to overcome the adverse effects of minority group isolation by improving the academic achievement of children in one or more minority group isolated schools, if the number of minority group children enrolled in the schools of such agency for the fiscal year preceding the fiscal year for which assistance is to be provided (1) is at least 15,000, or (2) constitutes more than 50 percent of the total number of children enrolled in such schools.

(Public Law 92-318, sections 705(a)(2), 706(b))

(b) A local educational agency shall be considered eligible for assistance under this subpart if it is implementing or operating under a plan described in § 185.11 (a) or (b), regardless of whether it applies for or receives assistance under § 185.11 (a) or (b).

(Public Law 92-318, section 706(b))

§ 185.22 Authorized activities.

(a) Assistance under this subpart shall be made available to carry out the authorized activities described in § 185.12 with respect to the children or schools to be served by the proposed program, project, or activity.

(Public Law 92-318, sections 706(b), 707(b))

(b) Activities to be assisted under this subpart shall be directed toward improving the academic achievement of children in minority group isolated schools, particularly in the basic areas of reading and mathematics. In general, such activities should bear directly upon classroom performance, through remedial services; the provision of additional, specially trained professional or other staff members; recruiting, hiring, and training of teacher aides; and development and use of new curricula and instructional methods, practices, and techniques (and acquisition of related instructional materials); however, the Assistant Secretary shall consider other, indirect approaches which offer unusual promise in overcoming the adverse effects of minority group isolation.

(Public Law 92-318, sections 706(b), 707(b))

(c) The provisions of § 185.12 (b), (c), and (d) shall apply to assistance made available under this subpart.

(Public Law 92-318, sections 706(b), 707)

§ 185.23 Applications.

Applications for assistance under this subpart shall comply with the provisions of § 185.13.

(Public Law 92-318, section 710(a))

§ 185.24 Criteria for assistance.

(a) In approving applications for assistance under this subpart, the Assistant Secretary shall apply the objective criteria set out in § 185.14(a), except that a maximum of 30 points shall be awarded to any applicant under § 185.14(a)(2).

(Public Law 92-318, sections [illegible] 710(c))

(b) The Assistant Secretary shall determine the educational and programmatic quality of applications for assistance under this subpart on the basis of the criteria set out in § 185.14(b), except that the Assistant Secretary shall also determine the feasibility of the proposed program, project, or activity on the basis of the following considerations (8 points):

(1) The extent to which the application demonstrates general thoroughness and specificity in the areas of needs assessment and evaluation design;

(2) The extent to which the applicant proposes (i) to extend some or all of the activities to be carried out under the program, project, or activity to be assisted to schools operated by the local educational agency which are not included in such program, project, or activity, and (ii) to provide opportunities for interested parties to observe the program, project, or activity, inspect project materials, equipment, and facilities, and interview staff members of such agency responsible for design and implementation of the program, project, or activity;

(3) The extent to which the application provides for effective collection and organization of information on the educational results of the proposed program, project, or activity; and

(4) The extent (i) to which the proposed program, project, or activity includes activities of modest to average cost, and (ii) to which secondary operating costs and one-time developmental costs are clearly and separately identified in the application, regardless of whether assistance is requested to cover such costs.

(Public Law 92-318, sections 70[illegible]b), 710(c) (1), 710(c)(4))

(c) In determining the amounts to be awarded to local educational agencies for assistance under this subpart, the Assistant Secretary shall apply the criteria set out in § 185.14(c).

(Public Law 92-318, sections 70[illegible](a)(2), 705 (b)(3), 706(b), 710(a)(2))

§§ 185.25–185.30 [Reserved]

Subpart D—Metropolitan Area Projects

§§ 185.31–185.40 [Reserved]

Subpart E—[illegible] Requirements for Educational Agencies

§ 185.41 Advisory committees.

(a) Consultation with advisory committee. A local educational agency shall, prior to submission of an application for assistance under subpart B, C, D, F, H, or J of this part, consult with a districtwide advisory committee formed in accordance with paragraph (c) of this section [illegible] and [illegible] assessing the [illegible] to be [illegible] by such application. Such agency shall afford such committee a reasonable opportunity (not less than 10 days) in which to review and comment upon such application, and shall establish such committee at least 5 days prior to the commencement of such review period. In connection with the establishment of such committee, the applicant shall furnish to each member of such committee a copy of the Act and this regulation.

(Public Law 92-318, section 710(a)(2)(B))

(b) *Public hearing.* Prior to submission of an application under subpart B, C, D, F, H, or J of this part, such agency shall hold at least one open, public hearing with parents, teachers, and (in any school district where a proposed program, project, or activity will affect the secondary school(s)) secondary school students, including but not limited to the members of a committee formed in accordance with paragraph (c) of this section, at which hearing such persons are afforded a full opportunity to understand the program, project, or activity for which assistance is being sought and to offer recommendations thereon. Such hearing shall be held no less than 7 days prior to submission of an application under the Act, and shall be advertised in a newspaper of general circulation or otherwise made public not less than 5 days prior to the date of such hearing. Evidence of such publication and a copy of the minutes of the hearing required by this subparagraph shall be submitted with such agency's application for assistance. At a minimum, such minutes shall include a statement of the date, time, and location of such hearings, the number of persons in attendance, and a brief summary (not a verbatim transcript) of the views expressed at such hearing.

(Public Law 92-318, section 710(a)(2)(A))

(c) *Composition of committee.* (1) In order to establish a districtwide advisory committee as required by this section, a local educational agency shall designate at least five civic or community organizations, each of which shall select a member of the committee. The civic or community organizations which participate in the selection process shall, when taken together rather than considered individually, be broadly representative of the minority and nonminority communities to be served by the proposed program, project, or activity.

(2) Such agency shall, after consultation with the appropriate teachers' organization(s), either (i) designate one nonminority group classroom teacher and one such teacher from each minority group substantially represented on the faculty or in the student body, of such agency to serve as members of the districtwide advisory committee, or (ii) delegate the designation of such teachers to such organization.

(3) A committee formed under this paragraph must be composed of equal numbers of nonminority group members and members from each minority group substantially represented in the community. (For example, in a school district containing both Negro and Spanish-surnamed communities, the

committee shall be composed of equal numbers of Negro, Spanish-surnamed American, and nonminority group members.) At least 50 per centum of the members of the committee shall be parents of children directly affected by a plan described in § 185.11 or a program, project, or activity described in subpart C, D, or H of this part. In addition to members appointed pursuant to subparagraphs (1) and (2) of this paragraph, and taking into account the students to be appointed pursuant to subparagraph (4) of this paragraph, such agency shall select the minimum number of additional persons as may be necessary to meet the requirements of this subparagraph. (For example, if in a biracial community the civic or community organizations designate three minority group members and two nonminority group members, three of whom are parents; and two teachers who are not parents are also selected, and two students are to be selected pursuant to subparagraph (4) of this paragraph, the agency must select two nonminority parents and one minority parent to complete the committee.)

(4) Committee members appointed pursuant to subparagraphs (1), (2), and (3) of this paragraph shall select at least one nonminority group secondary school student and an equal number of such students from each minority group substantially represented in the community to serve as members of the districtwide advisory committee. Such students shall be regularly enrolled in a secondary school or schools operated by the local educational agency.

(5) A committee which has been formed pursuant to an order of a Federal or State court for the desegregation of the school system of such agency may be designated as the districtwide advisory committee required by this section, provided that the requirements of subparagraphs (2), (3), and (4) of this paragraph are observed.

(Public Law 92-318, section 710(a)(2)(B))

(d) *Comments by committee; hearings.* No application by a local educational agency for assistance under subpart B, C, D, or H of this part shall be approved which is not accompanied by the written comments of a committee formed in accordance with paragraph (c) of this section. If a majority of the members of such committee requests an informal hearing with the Assistant Secretary with respect to such application, an opportunity for such a hearing shall be afforded to such committee prior to approval of such application. The Assistant Secretary or his designee shall hold such hearing in or near the school district served by such agency, and in no case at a greater distance from such school district than the appropriate Regional Office of the Department. The affected local educational agency shall be afforded an opportunity to respond to the comments or criticisms offered by the committee. The Assistant Secretary or his designee shall communicate his findings as to the matters presented by such committee at such hearing, and his decision on the basis of such findings, to the committee and the affected local educational agency in writing prior to approval of such agency's application for assistance.

(Public Law 92-318, section 710(b))

(e) *Post-award consultation.* Each application by a local educational agency for assistance under the Act shall contain an assurance that such agency will consult at least once a month with its districtwide advisory committee established under this section (in formal meetings of such committee) with respect to policy matters arising in the administration and operation of any program, project, or activity for which funds are made available under the Act, and that it will provide such committee with a reasonable opportunity to periodically observe (upon prior and adequate notice to such agency at such time or times as such committee and agency may agree) and comment upon all project-related activities. (Such consultation shall not be required in the event that the local educational agency is not awarded assistance under the Act.) Each such formal meeting shall be open to the public, and shall be advertised in a newspaper of general circulation or otherwise made public not less than 5 days prior to the date of such meeting.

(Public Law 92-318, section 710(a)(3))

(f) *Publication.* The names of the members of the districtwide advisory committee established in accordance with paragraph (c) of this section and a statement of the purpose of such committee, shall be published in a newspaper of general circulation or otherwise made public not less than 5 days prior to the public hearing required by paragraph (b) of this section. Evidence of such publication shall be submitted with the local educational agency's application for assistance.

(Public Law 92-318, section 710(a) (2) and (3))

(g) *Comments and suggestions by committee.* No amendment to the program, project or activity of a local educational agency shall be approved, and no additional funds made available under the Act, unless the districtwide advisory committee has been consulted and involved in the development of, and has been given an opportunity to comment upon such amendment of or addition to the program, project, or activity. Such comments shall be included with any application submitted by such agency for such amendment or additions. Amendments or additions suggested by the districtwide advisory committee shall be forwarded by the local education agency with or without comment by such agency, to the Assistant Secretary for his consideration.

(Public Law 92-318, section 710(a)(3))

(h) *Student advisory committees.* (1) The local educational agency shall, not more than 15 days after approval of an application for assistance under the Act, or not more than 15 days after commencement of the first academic year for which such assistance is awarded, whichever is later, establish in accordance with subparagraph (2) of this paragraph a student advisory committee of secondary school students at each school which will be affected by any program, project, or activity assisted under the Act and which offers secondary instruction.

(2) Each such committee shall be composed of equal numbers of nonminority group secondary students and of such students from each minority group substantially represented in each such school. The members of each such committee shall be selected by the student body or the student government of such school. Each such committee shall have at least six members.

(3) The application of such agency shall contain an assurance that representatives of the agency will periodically consult with student advisory committees established pursuant to this paragraph concerning matters relevant to the program, project, or activity, and that copies of the Act and this regulation and the agency's approved project proposal will be supplied to all members of such committees.

(4) Not more than 30 days after the award of assistance under the Act (or after commencement of the first academic year for which such assistance is awarded, whichever is later), such agency shall afford the members of its student advisory committees (or at least one representative from each of such committees) an opportunity to select at least one nonminority group secondary student and an equal number of such students from each minority group substantially represented in the community, to serve as members of the district-wide advisory committee, in addition to those students selected pursuant to paragraph (c)(4) of this section. (Such agency shall select the minimum additional number of parents as may be necessary to meet the requirement of paragraph (c)(3) of this section.)

(5) The names of the members of such committees, a statement of the purpose of such committees, and the names of additional members of the districtwide advisory committee selected pursuant to subparagraph (4) of this paragraph shall be published in a newspaper of general circulation or otherwise made public not more than 10 days after their selection. The names of the members of committees formed pursuant to this paragraph and evidence of such publication shall be submitted to the Assistant Secretary not more than 20 days after the date required pursuant to subparagraph (4) of this paragraph for selection of such additional members.

(Public Law 92-318, sections 710(a)(2)(B), 710(a)(3))

§ 185.42 Participation by children enrolled in nonpublic schools.

(a) *Assurances.* Applications by local educational agencies for assistance under subpart B, C, F, or J of this part shall contain:

(1) In the case of project activities primarily directed to minority group children, an assurance that to the extent consistent with the number of minority group children who are enrolled in nonpublic nonprofit elementary and secondary schools in the area to be served which are operated in a manner free from discrimination on the basis of race, color, or national origin, and which do not serve as alternatives for children seeking to avoid attendance in desegregated or integrated public schools), the participation of which children would assist in achieving the purposes of the Act, the applicant (after consultation with the appropriate nonpublic school officials) has made provision for the participation of such children on an equitable basis; and

(2) In the case of project activities directed to minority and nonminority group children, teachers, and other educational staff, an assurance that to the extent consistent with the number of children, teachers, and other educational staff enrolled or employed in nonpublic nonprofit elementary and secondary schools within the school district of the applicant (which are operated in a manner free from discrimination on the basis of race, color, or national origin, and which do not serve as alternatives for children seeking to avoid attendance in desegregated or integrated public schools), the participation of which children, teachers, and other educational staff would assist in achieving the purposes of the Act or, in the case of an application under subpart F of this part, would assist in meeting the needs described in that subpart, the applicant (after consultation with the appropriate nonpublic school officials) has made provision for the participation of such children, teachers, and other educational staff on an equitable basis.

(Public Law 92-318, section 710(a)(12))

(b) *Definitions.* (1) "Area to be served," for purposes of paragraph (a) (1) of this section, means the general geographical area in which the program, project, or activity assisted under subpart B, C, F, or J of this part is to be conducted, and may include the entire school district of the local educational agency. The area to be served shall be determined on the basis of the activities proposed to be undertaken by the local educational agency, the need for such activities in nonpublic schools serving the school district of such agency, and the appropriateness of participation by children, teachers, and other educational staff enrolled in or employed by such nonpublic schools.

(2) "An equitable basis" for participation of nonpublic schoolchildren, teachers, and other educational staff, for purposes of paragraph (a) of this section, means that the special needs of such children, teachers, and other educational staff shall be served to the same extent that special needs are served with respect to children, teachers, and other educational staff enrolled in or employed by public schools.

(Public Law 92-318, sections 706, 710(a)(12))

(c) *Exclusion of discriminatory nonpublic schools.* No child, teacher, or other educational staff member shall participate in any activity assisted under the Act if such child, teacher, or other educational staff member is enrolled in or employed by a nonpublic school which is operated on a racially segregated basis as an alternative for children seeking to avoid attendance in desegregated or integrated public schools, or otherwise practices, or permits to be practiced, discrimination on the basis of race, color, or national origin in admissions or the operation of any school activity. Determinations required under this paragraph shall be made in accordance with § 185.43(a).

(Public Law 92-318, sections 706(b), 706(d)(1), 710(a)(12))

(d) *Applicability.* (1) The participation of children, teachers, or other educational staff enrolled in or employed by a nonpublic school shall be considered to assist in achieving the purposes of the Act if such nonpublic school is attended by a significant number or percentage of minority and nonminority group children, or is implementing a plan to desegregate or reduce minority group isolation in its student body and faculty to a significant extent, or is part of a nonpublic school system implementing a plan to desegregate or to eliminate or reduce minority group isolation in one or more schools and is significantly affected by such plan.

(2) The participation of children, teachers, or other educational staff enrolled in or employed by a nonpublic school shall be considered to assist in meeting the needs described in subpart F of this part if such school is attended by a significant number or percentage of minority group children who are from an environment in which a dominant language is other than English and who, because of language barriers and cultural differences, do not have equality of educational opportunity.

(Public Law 92-318, sections 706(b), 706(d)(1), 708(c)(1), 710(a)(12))

(e) *Assessment of needs.* The special needs of children, teachers, and other educational staff enrolled in or employed by nonpublic schools, the number of such children, teachers, and staff who will participate in activities assisted under the Act, and the types of special services to be provided for them, shall be determined, after consultation with officials of such schools and other persons knowledgeable of the needs of such children, teachers, and other educational staff, on a basis comparable to that used in providing for the participation in activities assisted under the Act by children, teachers, and other educational staff enrolled in or employed by schools operated by the local educational agency.

(Public Law 92-318, section 710(a)(12))

(f) *Information required.* An application by a local educational agency for assistance under the Act shall show the number of children, teachers, and other educational staff enrolled in or employed by nonpublic schools who are expected to participate in the program, project, or activity described therein, and the degree and manner of their expected participation. For each nonpublic school which enrolls such children or employs such teachers and other educational staff, the application shall show the total enrollment of such school, by race, and the racial composition of the faculty and staff. Such application shall also describe the manner in which and extent to which representatives of such nonpublic schools, and persons knowledgeable of the needs of the children, teachers, and other educational staff enrolled in or employed by such schools have participated in the development of the application, and the provisions which have been made for effective liaison with such representatives or persons with regard to operation and review of the proposed program, project, or activity.

(Public Law 92-318, sections 706(d)(1)(A), 710(a)(12))

(g) *Joint participation.* Programs, projects, or activities assisted under the Act may be carried out at such locations as will efficiently and conveniently serve the children, teachers, and other educational staff of the affected public and nonpublic schools. Any project involving a joint participation of children, teachers, and other educational staff enrolled in or employed by public and nonpublic schools shall include such provisions as are necessary to prevent separation of such children ,teachers, and other educational staff by school or religious affiliation in any class or other project unit.

(Public Law 92-318, section 710(a)(12))

(h) *Activities on nonpublic school premises.* Public school personnel may be made available in other than public school facilities to the extent necessary to provide special services for those children, teachers, or other educational staff for whose needs such special services were designed, when such services are not normally provided by the nonpublic school. The applicant shall maintain administrative direction and control over such services. Mobile or portable equipment may be used on nonpublic school premises only for such time within the project period as is necessary for the successful participation in such program, project, or activity by children, teachers, and other educational staff enrolled in or employed by such nonpublic schools. Provisions for special services for children, teachers, and other educational staff enrolled in or employed by nonpublic schools shall not include the payment of salaries for teachers or other employees of nonpublic schools (except for services performed after school hours when such teachers or other employees are not under the direction and control of such schools), nor shall they include the use of equipment other than mobile or portable equipment on nonpublic school premises or [illegible] ing, or repair of nonpublic school facilities. "Mobile or portable equipment," for purposes of this paragraph, means manufactured items which have an extended useful life and are not consumed in use, and are not permanently fastened to the building or the grounds.

(Public Law 92-318, section 710(a)(12))

(i) *Waiver.* In any case where a local educational agency considers itself to be prohibited by law from providing for the participation of children, teachers, and other educational staff enrolled in or employed by nonpublic schools as required by this section, such agency shall furnish to the Assistant Secretary copies of such laws, rules, court decisions, or opinions of State legal officers as are necessary to set out the basis for such prohibition. Where such prohibition exists, the Assistant Secretary shall waive such requirement with respect to such agency and arrange for the participation of such children, teachers, and other educational staff as provided in sections 712(c) (1) and (2) of the Act.

(Public Law 92-318, sections 712(c) (1) and (2))

(j) *Failure to provide for nonpublic school participation.* If a local educational agency fails to provide for the participation, on an equitable basis, of children, teachers, and other educational staff enrolled in or employed by nonpublic schools in the school district served by such agency on any grounds other than those authorized by paragraph (i) of this section, it shall set out such grounds in its application or upon inquiry by the Assistant Secretary. If the Assistant Secretary determines such grounds to be insubstantial, and if the Assistant Secretary further determines that a local educational agency has substantially failed to provide for the participation, on an equitable basis, of such children, teachers, and other educational staff, he shall arrange for such participation as provided in section 712(c)(3) of the Act.

(Public Law 92-318, section 712(c)(3))

(k) *Informal conference.* Representatives of States, local educational agencies, nonpublic schools, or children, teachers, and other educational staff enrolled in or employed by nonpublic schools whose interests are directly affected by a determination made under this section may request an informal conference with the Assistant Secretary to show cause why such determination should be reviewed or revised. The Assistant Secretary or his designee shall hold such a conference within 15 days of receipt of such a request.

(Public Law 92-318, sections 710(a)(12) and 712(c))

§ 185.43 Limitations on eligibility.

(a) *Transfers to discriminatory nonpublic schools.* No educational agency shall be eligible for assistance under the Act if, after June 23, 1972, it has transferred (directly or indirectly by gift, [illegible] lease) any real or personal property, or made available any services, to a nonpublic school or school system (or any person or organization controlling, operating, or intending to establish such a school or school system) without a prior determination that such nonpublic school or school system is not operated on a racially segregated basis as an alternative for children seeking to avoid attendance in desegregated or integrated public schools, and that such nonpublic school or school system does not otherwise practice, or permit to be practiced, discrimination on the basis of race, color, or national origin in its admissions or in the operation of any school activity.

(1) Subsequent to the effective date of this section, in order to determine whether a transferee under this paragraph is a nonpublic school or school system (or a person or organization controlling, operating or intending to establish such a school or school system), an educational agency shall, at a minimum, obtain from such transferee, in writing, the following information:

(i) The legal name and address of the transferee and, if the immediate transferee is acting in a representative capacity, the legal name and address of his or its principal; and if such information does not clearly indicate the nature of the transferee or his or its principal, a copy of the articles of incorporation, charter, bylaws, or other documents indicating the legal status and stated purposes of the transferee or his or its principal; and

(ii) A statement of the use to be made of the property or services to be transferred.

(iii) In the case of a transfer occurring subsequent to June 23, 1972 but prior to the effective date of this section, a determination required by this subparagraph shall be substantiated by credible evidence satisfactory to the Assistant Secretary.

(2) Subsequent to the effective date of this section, in making the prior determination required under this paragraph as to the nature and practices of a nonpublic school or school system, an educational agency shall, at a minimum, obtain from such school or school system, in writing, the following information:

(i) Whether the school has publicized a policy of nondiscrimination in admissions, educational policies, scholarship programs, athletics, and extracurricular activities.

(ii) Whether the school has publicized this policy in a manner intended and reasonably likely to bring it to the attention of school-age minority group persons, and their families, without making other statements or taking actions that negate the effect of such publicity.

(iii) Whether applicants for admission have been treated on a nondiscriminatory basis and whether the racial composition of faculty, staff and student body is consistent with a policy of nondiscrimination.

(iv) Whether scholarship assistance is made available without regard to race, and whether students and scholarship recipients are recruited among all segments of the community; and

(v) Whether the school's incorporators, founders, board members, or donors of its land or buildings are announced or generally known as having as a primary objective the maintenance of segregated education, or are announced or identified as officers or active members of an organization with such an objective.

(vi) In the case of a transfer occurring subsequent to June 23, 1972, but prior to the effective date of this section, a determination required to be made by this subparagraph shall be substantiated by credible evidence satisfactory to the Assistant Secretary.

(3) For purposes of subparagraph (2) (iii) of this paragraph, a nonpublic school which has no minority students, or a nonpublic school system which has no minority students in one or more of its schools, shall be presumed to discriminate. If such a nonpublic school or school system has also failed to adopt and publish a policy of nondiscrimination in accordance with subparagraphs (2)(i) and (2)(ii) of this paragraph, the presumption of discrimination shall be conclusive.

(4) The fact that a local educational agency may have obtained an assurance or statement of nondiscrimination from a transferee, or included such assurance or statement in the transfer documents, shall not excuse such agency from making the determination required by this paragraph.

(Public Law 92-318, section 706(d)(1)(A); Green v. Connally, 330 F. Supp. 1150 (D.C. D.C. 1971), aff'd sub nom. Coit v. Green, 404 U.S. 997 (1971); Wright v. City of Brighton, Alabama, 441 F. 2d 447 (5th Cir. 1971), cert. den. 404 U.S. 915 (1971))

(b) *Demotion or dismissal of minority group personnel.* (1) No educational agency shall be eligible for assistance under the Act if, after June 23, 1972, it has had or maintained in effect any practice, policy, or procedure which results in the disproportionate demotion or dismissal of instructional, administrative, or other personnel from minority groups in conjunction with desegregation or the implementation of any plan or the conduct of any activity described in section 706 of the Act, or which has resulted in the disproportionate demotion or dismissal of such personnel during the period in which such educational agency has been desegregating (or eliminating or reducing isolation of minority group children) pursuant to an order of a Federal or State court, a plan approved by the Secretary as adequate under title VI of the Civil Rights Act of 1964, or an order of a State agency or official of competent jurisdiction.

(i) For purposes of this subparagraph, a disproportionate demotion or dismissal of minority group personnel has occurred if the ratio of minority group elementary school teachers, secondary school teachers, principals, or other staff demoted or dismissed to the number of such minority group personnel employed by such agency before such demotions or dismissals exce[illegible] than [illegible] centage poi[illegible] minority group personnel so demoted or dismissed over the same period of time to the number of such nonminority group personnel employed by such agency prior to such demotions or dismissals. (For example, such an agency would be in violation of this subparagraph if it has demoted or dismissed 21 percent of its minority group principals and 10 percent of its nonminority group principals over the same period of time.)

(ii) For purposes of this paragraph, a demotion includes any reassignment (*a*) under which a faculty or staff member receives less pay or has less responsibility than under the assignment he held prior to such reassignment, (*b*) which requires a lesser degree of skill than did the assignment he held previously, or (*c*) under which he is required to teach in a subject or grade other than one for which he is certified or in which he has substantial experience or qualifications.

(iii) For purposes of this paragraph, a dismissal includes any termination of or failure to renew a contract, for cause or otherwise, including resignations impelled by threatened administrative or other sanctions.

(2) No educational agency shall be eligible for assistance under the Act if, after June 23, 1972, it has had or maintained in effect any other practice, policy, or procedure which results in discrimination on the basis of race, color, or national origin in the recruiting, hiring, promotion, payment, demotion, dismissal, or assignment of any of its employees (or other personnel for which such agency has any administrative responsibility), including the assignment of full-time classroom teachers to the schools of such agency in such a manner as to identify any of such schools as intended for students of a particular race, color, or national origin.

(3) (i) A practice, policy, or procedure resulting in the disproportionate demotion or dismissal of minority group personnel shall be considered to be or remain in effect after June 23, 1972, if at the time such agency applies for assistance under the Act, the proportion of minority group elementary schoolteachers, secondary schoolteachers, principals, or other staff affected by such demotions or dismissals has not been restored at least to the proportion which existed prior to such demotions or dismissals, unless such an agency which has had or maintained in effect such a practice, policy, or procedure submits with its application for assistance information establishing that such a practice, policy, or procedure has not been in effect since June 23, 1972, as demonstrated by corrective measures taken and progress achieved in eliminating the results of such a practice, policy, or procedure.

(ii) A demotion or dismissal shall be considered to be discriminatory if the staff member demoted or dismissed has not been selected on the basis of objective, nonracial, reasonable, and nondiscriminatory criteria applied to staff [illegible] y, or procedure shall be considered to be or remain in effect after June 23, 1972, if, at the time such agency applies for assistance under the Act any staff member so demoted or dismissed has not been offered reinstatement to his former position and offered pecuniary compensation for any loss incurred as a result of such demotion or dismissal, or if any staff vacancy occurring subsequent to any demotion or dismissal in the process of desegregation has or has been filled through hiring of a person of a different race, color, or national origin before a qualified staff member so demoted or dismissed has been offered employment in such vacancy and has failed to accept such an offer.

(Public Law 92-318, section 706(d)(1)(B); Senate Report No. 92-61, p. 1[illegible]; Singleton v. Jackson Municipal Separate School District, 419 F. 2d 1211 (5th Cir. 1969))

(c) *Classroom segregation.* No educational agency shall be eligible for assistance under the Act if, after June 23, 1972, it has had or maintained in effect any procedure for the assignment of children to or within classes which results in any separation of minority group from nonminority group children for more than 25 percent of the school day classroom periods in conjunction with desegregation or the conduct of any activity described in section 706 of the Act. This paragraph shall not be construed to prohibit bona fide ability grouping as a standard pedagogical practice. Such grouping is that which is:

(1) Based upon nondiscriminatory, objective standards of measurement which are educationally relevant to the purposes of such grouping and which, in the case of national origin minority group children, do not essentially measure English language skills;

(2) Determined by the nondiscriminatory application of the standards described in subparagraph (1) of this paragraph, and maintained for only such portion of the school day classroom periods as is necessary to achieve the purposes of such grouping;

(3) Designed to meet the special needs of the students in each group determined by the application of the standards described in subparagraph (1) of this paragraph and to improve the academic performance and achievement of students determined to be in the less academically advanced groups, by means of specially developed curricula, specially trained or certified instructional personnel, and periodic retesting to determine academic progress and eligibility for promotion; and

(4) Validated by test scores or other reliable objective evidence indicating the educational benefits of such grouping.

(Public Law 92-318, section 706(d)(1)(C); Senate Report No. 92-61, p. 18)

(d) *Discrimination against children.* No educational agency shall be eligible for assistance under the Act if, after June 23, 1972 it has had or maintained in effect any practice, policy, or procedure which results or has resulted in discrimination against children on the basis of race, color, or national origin, including but not limited to:

(1) Limiting curricular or extracurricular activities (or participation by children therein) in order to avoid the participation of minority group children in such activities;

(2) Denying equality of educational opportunity or otherwise discriminating against national origin minority children on the basis of language or cultural background;

(3) Permitting the rental, use, or enjoyment of any of such agency's facilities or services by any group or organization which discriminates against minority group children aged 5 to 17, inclusive, in its admissions or membership policies, or otherwise practices, or permits to be practiced, discrimination against such children on the basis of race, color, or national origin;

(4) Imposing disciplinary sanctions, including expulsion, suspension, or corporal or other punishment, in a manner which discriminates against minority group children on the basis of race, color, or national origin;

(5) Assigning students to ability groups, tracks, special education classes, classes for the mentally retarded, or other curricular or extracurricular activities on the basis of race, color, or national origin. Racially or ethnically identifiable groups, tracks, or classes which cannot be justified educationally under the criteria set out in paragraph (c) of this section shall be presumed to be assigned on the basis of race, color, or national origin.

(6) Denying comparable facilities or instructional or other services to minority group children enrolled in the schools of such agency on the basis of race, color, or national origin.

(Public Law 92-318, section 706(d)(1)(D))

(e) *Continuing conditions of eligibility.* The limitations on eligibility set forth in this section shall be continuing conditions of eligibility during the entire period for which assistance is made available to an educational agency under the Act, and such agency's failure to comply with such conditions after the award of such assistance shall be grounds for termination of assistance and for such other sanctions as the Assistant Secretary may determine.

(Public Law 92-318, section 706(d)(1); Senate Report No. 92-61, p. 18, 41-42)

§ 185.44 Waiver of ineligibility.

(a) In the event that a local educational agency prior to the award of assistance under the Act is determined to be ineligible for such assistance under § 185.43, such agency may apply to the Secretary for a waiver of such ineligibility.

(Public Law 92-318, sections 706(d)(1)-(3))

(b) An application for waiver under paragraph (a) of this section shall contain such information and assurances as will insure that any practice, policy, procedure, or other activity resulting in ineligibility has ceased to exist to occur, and shall include such provisions as are necessary to insure that such practice, policy, procedure, or activity will not reoccur after the submission of such application.

(Public Law 92-318, sections 706(d) (1)-(3))

(c) Transfers to discriminatory nonpublic schools. In the case of ineligibility under § 185.43(a), an application for waiver shall contain:

(1) A list of all property transferred or services made available to nonpublic schools or school systems operated on a racially segregated basis or which practice or permit to be practiced, discrimination on the basis of race, color, or national origin in admissions or the operation of any school activity, the names and addresses of such schools or school systems and the consideration received for such transfers;

(2) Evidence that all transfers described in subparagraph (1) of this paragraph have been rescinded and all unearned consideration received therefor has been repaid or returned, to the extent possible under the applicable State law; and

(3) A statement of steps taken by such agency to avoid or prevent such transfers in the future.

(Public Law 92-318, sections 706(d) (1)-(3))

(d) Demotion or dismissal of minority group personnel.

(1) In the case of ineligibility under § 185.43(b)(1) of this part resulting from the disproportionate demotion or dismissal of instructional, administrative, or other personnel from minority groups, an application for waiver shall contain:

(i) A plan of affirmative action to insure that within a reasonable time from the date of such application, the proportion of minority group elementary school teachers, secondary school teachers, principals, or other staff affected by such demotions or dismissals will be restored at least to the proportion which existed prior to such demotions or dismissals; and

(ii) A statement of steps taken by such agency to prevent any future disproportionate demotion or dismissal of minority group personnel.

(2) In the case of ineligibility under § 185.43(b)(2) resulting from discriminatory demotion or dismissal of instructional or other personnel from minority groups in the process of desegregation, an application for waiver shall contain:

(i) Evidence that all minority group personnel so demoted or dismissed have been offered reinstatement to their former positions and afforded pecuniary compensation for any loss incurred as a result of such demotions or dismissals, such as diminution in salaries, additional commuting expenses, and the like;

(ii) A plan of affirmative action as required by subdivision (i) of subparagraph (1) of this paragraph; and

(iii) A statement of steps taken by such agency to prevent any future discriminatory demotion or dismissal of minority group personnel, including but not limited to a statement of objective, nonracial and reasonable criteria to be applied in the event that reinstatement of minority group personnel as required by subdivision (i) of this subparagraph necessitates a reduction in the number of elementary school teachers, secondary school teachers, principals, or other staff, or in the event of future demotions or dismissals for any reason.

(3) In the case of ineligibility resulting from discriminatory assignment of teachers as prohibited by § 185.43(b)(2), such applications for waiver shall contain evidence that such agency has assigned its full-time classroom teachers to its schools so that no school is identified as intended for students of a particular race, color, or national origin. Such nondiscriminatory assignments shall, in the case of a local educational agency implementing a plan described in § 185.11(a), conform to the requirements of such plan with respect to the assignment of faculty. In the case of local educational agencies not implementing such a plan, or implementing such a plan which contains no provision as to assignment of faculty, such assignments shall be made so that the proportion of minority group full-time classroom teachers at each school is between 75 per centum and 125 per centum of the proportion of such minority group teachers which exists on the faculty as a whole, and so that the variations in such proportions which remain on various faculties do not correspond to such variations in the student population of such school.

(4) In the case of ineligibility resulting from other discriminatory practices, policies, or procedures prohibited by § 185.43(b)(2), an application for waiver shall contain:

(i) Evidence that minority group personnel subjected to such discrimination have been reinstated or restored to the position or status they held prior to, or would have held in the absence of, such discrimination, and have been afforded pecuniary compensation for any loss incurred as a result of such discrimination, such as diminution in salaries, additional commutation expenses, and the like; and

(ii) A statement of steps taken by such agency to prevent such discrimination in the future.

(5) In the event that the corrective action required under this paragraph includes the employment or promotion of minority group teachers, principals, or other staff, such agency shall give preference in such employment or promotion first to qualified minority group members of its own faculty or staff previously demoted or dismissed for any reason, and secondly to qualified minority group faculty and staff members identified by the Department as previously demoted or dismissed by other local educational agencies in conjunction with desegregation or the conduct of any activity described in section 706 of the Act.

(Public Law 92-318, sections 706(d)(1)-(3); U.S. v. Texas Education Agency (LaVega), No. 71-3[illegible]35 (5th Cir., Mar. 10, 1972))

(e) Classroom segregation: In the case of ineligibility under § 185.43(c), an application for waiver shall contain:

(1) Evidence that minority group children are not separated from nonminority group children by or within classes for more than 25 percent of the school day classroom periods, except in instances of bona fide ability grouping which meet the requirements of § 185.43(c), where such agency has demonstrated by clear and convincing evidence that such separation is educationally necessary and is the only available method of achieving a specific educational objective; and

(2) A statement of steps taken by such agency to insure that separation of minority and nonminority group children as prohibited by § 185.43(c) will not reoccur in the future.

(Public Law 92-318, sections 706(d)(1)-(3))

(f) Discrimination against children: In the case of ineligibility under § 185.43(d), an application for waiver shall contain evidence that the practice, policy, or procedure prohibited by § 185.43(d) has ceased to exist or occur and that the effects of such practice, policy, or procedure have been remedied or eliminated. In particular:

(1) In the case of a denial of equal educational opportunity to national origin minority children as described in § 185.43(d)(2), such agency shall submit an educational plan of sufficient comprehensiveness to remedy or eliminate the effects of such denial and to meet the special educational needs of all national origin minority group children for whose education such agency is responsible. Such a plan, if required and approved under this subparagraph, shall be implemented regardless of whether funds for such purpose are made available under the Act.

(2) In the case of a violation under § 185.43(d)(3), such agency shall submit evidence that such rental, use, or enjoyment of its facilities is no longer permitted, and that any agreement with respect to such rental, use, or enjoyment has been rescinded and the unearned consideration therefore has been returned or repaid, to the extent possible under the applicable State law.

(3) In the case of assignment of students to classes on the basis of race, color, or national origin as prohibited by § 185.43(d)(5), such agency shall submit evidence that the groups, tracks, or classes resulting from such assignment have been completely eliminated and the students so assigned have been reassigned to classes on a nondiscriminatory basis; or that the students so assigned have been retested, re-evaluated, and, if necessary, reassigned to groups, tracks, or classes which satisfy the requirements of § 185.43(c).

(Public Law 92-318, sections 706(d)(1)-(3))

(g) Access to information and records: Agencies applying for assistance under the Act [illegible] waiver [illegible] section shall [illegible] the Assistant Secretary such information and such access to their facilities or records as such official may deem necessary for the administration of the Act, or for a determination as to eligibility or as to whether or not a waiver should be granted. Consideration of applications for assistance under this part may be delayed pending submission or collection of such information. Such information may include confidential or other records maintained by such agency on personnel and students, with racial or other identification of such personnel or students, and financial and other records maintained by such agency. Limitations on access to information or records based on considerations of privacy or confidentiality may not operate to bar the Department from evaluating or seeking to enforce compliance with any provision of the Act, this regulation, grant terms or conditions, or other applicable laws. Information of a confidential nature obtained by the Department in connection with compliance evaluation or enforcement shall not be disclosed except where necessary in formal enforcement proceedings or as otherwise required by law. The Assistant Secretary shall not approve an application under this part which requires a waiver by the Secretary unless the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives have been given notice of the intention to grant such a waiver at least 15 days prior to such approval.

(Public Law 92-318, sections 706(d) (2), (3), (5), and (6))

§ 185.45 Termination of assistance.

(a) *Termination and suspension.* (1) Assistance under the Act may be terminated in whole or in part if the Assistant Secretary determines, after affording the recipient reasonable notice and an opportunity for a full and fair hearing, that the recipient has failed to carry out its approved program, project, or activity in accordance with the applicable law and the terms of such assistance, or has otherwise failed to comply with any applicable law, regulation, assurance, term, or condition. Assistance under the Act may be suspended during the pendency of a termination proceeding initiated pursuant to this paragraph: *Provided however,* That the recipient is afforded reasonable notice and opportunity to show cause why such action should not be taken.

(2) Proceedings with respect to the termination of assistance shall be initiated by mailing to the recipient a notice, by certified mail, return receipt requested, informing the recipient of the Government's intent to terminate assistance and of the specific grounds for such termination, together with information regarding the time, place, and nature of the hearing to be afforded the recipient, the legal authority and jurisdiction under which the hearing is to be held, and such other information with respect to [illegible] as the Assistant Secretary may determine.

(3) If the Assistant Secretary determines for good cause that suspension of assistance during the pendency of such proceedings is necessary, such notice shall, in addition to the matters described in subparagraph (2) of this paragraph, inform the recipient of such determination and shall offer the recipient an opportunity to show cause why such action should not be taken. Such notice of suspension of assistance shall advise the recipient that any new expenditures or obligations made or incurred in connection with the program, project, or activity assisted during the period of the suspension will not be recognized by the Government in the event such assistance is ultimately terminated. Expenditures to fulfill legally enforceable commitments made prior to the notice of suspension, in good faith and in accordance with the recipient's approved program, project, or activity, and not in anticipation of suspension or termination, shall not be considered new expenditures.

(4) Termination of assistance shall be effected by the delivery to the recipient of a final order of termination, signed by the Assistant Secretary or his designee, or upon an initial decision of an Administrative Law Judge becoming final without appeal to or review by the Assistant Secretary.

(5) In the event assistance is terminated under this section, financial obligations incurred by the recipient prior to the effective date of such termination will be allowable to the extent they would have been allowable had such assistance not been terminated, except that no obligations incurred during the period in which such assistance was suspended pursuant to subparagraph (3) of this paragraph and no obligations incurred in anticipation of such suspension or termination will be allowed. Within 60 days of the effective date of termination of assistance under this section, the recipient shall furnish to the Assistant Secretary an itemized accounting of funds expended, obligated, and remaining. Within 30 days of a request therefor, the recipient shall remit to the Government any amounts found due.

(6) The procedures and requirements set out in this section shall apply to any assistance made available to any recipient under this part, except assistance awarded pursuant to Subpart I.

(Public Law 92-318, sections 706(d), 710 (a) and (b).)

(b) *Additional sanctions.* In an appropriate case, involving violations of the eligibility limitations set out in § 185.43 arising subsequent to approval of an application for assistance under this part or a failure to comply with the terms of a waiver granted pursuant to § 185.44, the Assistant Secretary shall declare the award of such assistance to be null and void as of the date of such violation or failure, and shall refuse to recognize any obligation incurred after such date or to reimburse the recipient for any costs incurred or expenditures made after such date, regardless of the date of obligation. Such sanctions shall be imposed in accordance with the provisions of this section.

(Public Law 92-318, sections 706(d), 710 (a) and (b); Senate Report No. 92-61, pp. [illegible], 41-42)

(c) *Proceedings.* (1) If the recipient requests an opportunity to show cause why a suspension of assistance pursuant to paragraph (a)(1) of this section should not be continued or imposed, the Assistant Secretary or his designee shall within 7 days after receiving such request, hold an informal meeting for such purpose.

(2) Hearings respecting the termination of assistance pursuant to this section shall be conducted pursuant to the provisions of the Administrative Procedure Act (5 U.S.C. 554-557). Proposed findings of fact, conclusions of law, and briefs will be submitted to the presiding officer within 20 days of the conclusion of the hearing.

(3) The initial decision of an Administrative Law Judge regarding the termination of assistance under the Act shall become the decision of the Assistant Secretary without further proceedings unless there is an appeal to, or review on motion of, the Assistant Secretary made in writing no later than 15 days after receipt (by the party requesting such appeal or review), of the decision of the Administrative Law Judge. A request for appeal or review under this section shall be accompanied by exceptions to the initial decision, proposed findings, supporting reasons, and briefs. The adverse party shall submit its reply no later than 15 days after its receipt of a copy of such request for appeal or review. The Assistant Secretary shall issue a final decision in the case of such appeal or review no later than 45 days after the final submission of the above materials by the parties. The Assistant Secretary may delegate his functions under this subparagraph to an appellate review council established and appointed by him.

(4) The procedures established by this section shall not preclude the Assistant Secretary from pursuing any other remedies authorized by law. Proceedings pursuant to Part 80 of this title with respect to the eligibility of an applicant for assistance under Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) shall be governed by the regulations in that part and Part 81 of this title.

(Public Law 92-318, sections 706(d), 710 (a) and (b))

(d) *Effect of Federal action.* No official agent, or employee of the Department of Health, Education and Welfare shall have the authority to waive or alter any provision of the Act or this regulation, or other relevant Act or regulation, and no action or failure to act on the part of such official, agent, or employee shall operate in derogation of the Assistant Secretary's enforcement of said provisions in accordance with their terms.

(43 Dec. Comp. Gen. 31 (1963))

§§ 185.46–1[illegible] [Reserved]

Subpart [illegible]—Bilingual [illegible]

§§ 185.51–185.60 [Reserved]

Subpart G—Public or Nonprofit Private Organizations

§ 185.61 Eligibility for assistance.

(a) *Eligible applicants.* (1) Any public agency, institution, or organization (other than a local educational agency) and any nonprofit private agency, institution, or organization may apply for assistance, by grant or contract, from funds reserved pursuant to § 185.95(d)(1)(i) to carry out programs, projects, or activities designed to support the development or implementation of a plan or project described in § 185.11.

(2) Any such agency, institution, or organization (other than a local educational agency or a nonpublic elementary or secondary school) may apply for such assistance from funds reserved pursuant to § 185.95(d)(1)(ii) to carry out such programs, projects, or activities.

(Public Law 92-318, sections 705(a)(3) and 708(b))

(b) *Nonprofit status.* A nonprofit agency, institution, or organization, for purposes of this section, means any organization owned and operated by one or more corporations or associations no part of whose net earnings may lawfully inure to the benefit of any private shareholder or individual. Any of the following shall be acceptable evidence of nonprofit status:

(1) A reference to the organization's listing in the Internal Revenue Service's most recent cumulative list of organizations described in section 501(c)(3) of the Internal Revenue Code as tax exempt;

(2) A copy of a currently valid Internal Revenue Service tax exemption certificate;

(3) A statement from a State taxing body or the State attorney general certifying that the organization is a nonprofit organization operating within the State and that no part of its net earnings may lawfully inure to the benefit of any private shareholder or individual;

(4) A certified copy of the organization's certificate of incorporation or similar document if it clearly establishes the nonprofit status of the organization; or

(5) Any of the evidence described in subparagraphs (1) through (4) of this paragraph which applies to a State or national parent organization, and a statement by the parent organization that the applicant organization is a local nonprofit affiliate.

(Public Law 92-318, sections 708(b), 720(11); HEW Grants Administration Manual, Chapter 1-00-30)

(c) *Form of organization.* Agencies, institutions, or organizations assisted under this subpart may be any form of legally cognizable entity. Nonprofit corporations are the preferred form of organization.

(Public Law 92-318, section 708(b))

(d) *Relation to local educational agency.* (1) A program, project, or activity designed to support the implementation of a plan or project described in § 185.11 may be assisted under this subpart if the local educational agency with respect to which the applicant proposes to carry out its program, project, or activity is implementing such a plan or project, regardless of whether such local educational agency applies for or receives assistance under the Act.

(2) A program, project, or activity designed to support the development of a plan or project described in § 185.11 may be assisted under this subpart without regard to whether the local educational agency with respect to which the applicant proposes to carry out its program, project, or activity applies for or receives assistance under the Act: *Provided, however*, That such local educational agency has requested such support in the development of such a plan or project.

(Public Law 92-318, section 708(b))

§ 185.62 Authorized activities.

Financial assistance under this subpart shall be available for programs or projects which would not otherwise be funded and which involve activities designed to support the development or implementation of a plan or project described in § 185.11 and to carry out the purposes described in § 185.01. Such programs or projects shall include one or more of the following activities:

(a) Supplemental remedial services beyond those provided by the local educational agency, including student to student tutoring, to meet the special needs of children (including gifted or talented children) in schools which are affected by a plan or project described in § 185.11, when such services are necessary to the success of such plan or project;

(b) Educational programs beyond those offered by the local educational agency for career orientation;

(c) Innovative interracial educational enrichment programs or projects beyond those offered by the local educational agency, involving the joint participation of minority group children and other children attending different schools and, where appropriate, the parents of such children;

(d) Community activities, including public information and parental involvement efforts, regarding matters related to a plan or project described in § 185.11;

(e) Administrative and auxiliary services to facilitate the success of the applicant's program or project, where such services are part of, and in conjunction with, a comprehensive program or project designed to support the development or implementation of a plan or project described in § 185.11;

(f) Programs to prepare preschool or school-age children and, where appropriate, the parents of such children, for the experience of desegregation or of elimination or reduction of minority group isolation in the schools of the local educational agency;

(g) Programs designed to deal with the problems of dropouts, academic failures, and increased suspensions or expulsions resulting from or attendant to the implementation of a plan or project described in § 185.11;

(h) Interracial programs or projects relating to the social and recreational needs of children attending schools affected by a plan or project described in § 185.11;

(i) Cultural enrichment activities which promote interracial and intercultural understanding among children attending schools affected by a plan or project described in § 185.11 and, where appropriate, the parents of such children;

(j) Home-focused projects for the enrichment of the educational atmosphere in the homes of children attending schools affected by a plan or project described in § 185.11, including parent-child home reading projects and school-related family or neighborhood activities;

(k) At the request of a local educational agency, assistance or support in the development of a plan or project described in § 185.11; or

(l) Special programs or projects of exceptional merit or promise which the Assistant Secretary determines will make substantial progress toward achieving the purposes set out in § 185.01.

(Public Law 92-318, section 708(b))

§ 185.63 Applications.

(a) *Basic assurances.* Applications for assistance under this subpart shall comply with the requirements of §§ 185.13(a), 185.13(b), 185.13(c), 185.13(d), 185.13(f), 185.13(h), 185.13(k)(1) (i) and (ii), 185.13(k)(2), and 185.13(m).

(b) *Additional assurances.* Applications for assistance under this subpart shall contain the following additional assurances and information:

(1) A description of the proposed program, project, or activity, and of such policies and procedures as will insure that the applicant will use funds received under the Act only for the activities set forth in § 185.62;

(2) An assurance that funds made available to the applicant under the Act, will be so used (i) as to supplement and, to the extent practicable, increase the level of funds that would, in the absence of funds under the Act, be available from non-Federal sources for the purposes of the program for which assistance is sought; and (ii) in no case, as to supplant such funds from non-Federal sources;

(3) (i) An assurance that the appropriate local educational agency has been given at least 15 days to offer recommendations to the applicant with respect to such application and to submit comments to the Assistant Secretary; (ii) a statement indicating the local official or agency to whom the proposed program, project, or activity has been submitted for such recommendations or comment, and the date of such submission; and (iii) a description of the provisions which

have been ma[illegible] such agency [illegible] the proposed pr[illegible] project, [illegible] and coordination of such program, project, or activity with similar or related efforts of such agency. No application for assistance under this subpart shall be approved less than 10 days after a copy of such application has been submitted by the Assistant Secretary to the appropriate State educational agency for comment, unless the Assistant Secretary has received comments from such agency upon such application prior to expiration of the 10-day period.

(4) A statement of (i) the extent to which other public or nonprofit private agencies, institutions, or organizations in the school district affected by a plan or project described in § 185.11 have been consulted in the preparation of the application, and (ii) the provisions which have been made by the applicant for effective liaison with such agencies, institutions, or organizations which have applied for, or received, assistance under the act with regard to coordination of programs, projects, or activities so assisted;

(5) A copy of the charter, articles of incorporation, bylaws, or other legal documents indicating the nature and purpose of the applicant, including evidence of nonprofit status as described in § 185.61(b);

(6) A statement of past activities engaged in by the applicant or its officers or employees in the appropriate school district with respect to such matters as education, human relations, desegregation or reduction of minority group isolation in public elementary or secondary schools, or other community activities or concerns; and

(7) A copy of the plan or project described in § 185.11 with respect to which assistance is sought under this subpart, or a complete description of such plan or project.

(Public Law 92-318, section 708(b))

§ 185.64 Criteria for assistance.

(a) *Objective criteria.* In approving applications for assistance under this subpart, the Assistant Secretary shall apply the following objective criteria (45 points):

(1) The number and percentage of minority group children enrolled in the schools operated by the local educational agency with respect to which the applicant proposes to carry out its program, project, or activity for the fiscal year or years for which assistance is sought (15 points);

(2) The effective net reduction in minority group isolation (in terms of the number and percentage of children affected), as defined in § 185.14(a)(2), in all the schools operated by such agency accomplished or to be accomplished by the implementation of the plan or project described in § 185.11 with respect to which assistance is sought by the applicant (30 points).

(Public Law 92-318, section 708(b))

(b) *Educational and programmatic criteria.* The Assistant Secretary shall determine the educational and programmatic [illegible] ance under this subpart on the basis of the following criteria (45 points):

(1) *Needs assessment* (6 points). (i) The degree to which the applicant has cooperated with, or complemented the efforts of, the appropriate local educational agency, in assessing the needs of the community with respect to desegregation or the reduction of minority group isolation; and

(ii) The magnitude of needs assessed by the applicant, and the degree to which the applicant has demonstrated, by objective evidence, the existence of such needs.

(2) *Statement of objectives* (6 points). (i) The degree to which the applicant sets out specific, measurable objectives for its program, project, or activity, in relation to the needs identified; and

(ii) The degree to which (a) the program, project, or activity to be assisted affords promise of achieving the objectives specified in the application, and (b) such program, project, or activity involves to the fullest extent practicable the total educational and social resources already existing in the community, including those of other public or nonprofit private agencies, organizations, or institutions which are eligible for assistance under the Act.

(3) *Activities* (21 points). (i) *Project design* (8 points). The extent to which the proposed program or project sets out activities clearly related to the needs identified and the stated objectives, which activities (a) complement activities being carried out by the local educational agency, under the Act or otherwise; (b) represent a cooperative or integrated effort among all the public or nonprofit private agencies, organizations, or institutions in the community; (c) present an opportunity for interracial or intercultural involvement of students, parents, and personnel of the appropriate local educational agency; (d) promote interracial or intercultural understanding in the community; (e) present an opportunity for increased communication between parents and the school system; and (f) utilize students' homes as a focal point for program or project operations.

(ii) *Staffing* (3 points). The extent to which (a) the proposed program or project sets out a plan to attract and hire qualified staff members and personnel; (b) qualified applicants residing in the community to be served are given priority for employment over other applicants; and (c) provision is made for adequate training of staff members and other personnel, both salaried and volunteer.

(iii) *Delivery of services* ([illegible] *points*). The extent to which the proposed program or project (a) describes available facilities which are adequate for the performance of the proposed activities and are convenient and accessible to the persons involved in such activities; and (b) provides for effective notification of and communication with the intended beneficiaries of proposed activities, events, and services.

(iv) *Parent and community involvement* (6 *points*). The extent to which the application for assistance (a) reflects efforts to include persons broadly representative of the community to be served as members of the advisory committee established pursuant to § 185.65(a), and to utilize the contributions of such persons who are concerned with the problems of education and desegregation or the reduction of minority group isolation; (b) delineates specific responsibilities for the advisory committee in addition to those required in § 185.65(d); and (c) sets forth procedures for involving parents and residents of the community to the maximum extent possible in all aspects of the proposed program, project, or activity.

(4) *Resource management* (6 points). The extent to which the application contains evidence that (i) the amount of funds requested is of sufficient magnitude to give substantial promise of achieving the stated objectives; (ii) the costs of project components are reasonable in relation to the expected benefits; and (iii) all possible efforts have been made to minimize the amount of funds requested for purchase of equipment necessary for implementation of the proposed program, project, or activity.

(5) *Evaluation* (6 *points*). The extent to which the application sets out a format for objective measurement of the results of the proposed program, project, or activity, including (i) a timetable for compilation of data for evaluation and a method of reviewing the program, project, or activity in the light of such data; (ii) a description of the instruments to be used for evaluation of the proposed program, project, or activity (and of the method for validating such instruments where necessary), or a description of the procedure to be employed in selecting such instruments; and (iii) provisions for comparison of evaluation results with norms, control group performance, results of other programs, or other external standards.

(6) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(c) *Funding criteria.* In determining amounts to be awarded to applicants for assistance under this subpart, the Assistant Secretary shall apply the following criteria:

(1) The additional cost to such applicant (as such cost is defined in § 185.13(a)) of effectively carrying out its proposed program, project, or activity, as compared to other applicants in the State; and

(2) The amount of funds available for assistance in the State under the act, in relation to the other applications from the State pending before him. The Assistant Secretary shall not be required to approve any application which does not meet the requirements of the act

or this part, or which sets forth a program, project, or activity of such insufficient promise for achieving the purposes of the act that its approval is not warranted. In applying the criterion set out in this subparagraph, the Assistant Secretary shall award funds to applicants from a State (whose applications meet such requirements and are of sufficient promise to warrant approval) in the order of their ranking on the basis of the criteria set out in this section until the sums allotted to such State for the purposes of this subpart have been exhausted.

(Public Law 92-318, sections 705(a)(3), 705(b)(3))

(3) No more than 33 percent of the grants or contracts pursuant to this subsum of funds allotted to a State for part shall be awarded to applicants proposing to carry out programs, projects, or activities with respect to the same local educational agency, unless the Assistant Secretary determines that the applications pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit or promise.

(Public Law 92-318, section 708(b))

§ 185.63 Advisory committees.

(a) *Consultation with advisory committee.* An agency, institution, or organization applying for assistance under this subpart shall, prior to submission of such an application, consult with a districtwide advisory committee formed in accordance with paragraph (b) of this section in identifying problems and assessing the needs to be addressed by such application. Such applicant shall afford such committee a reasonable opportunity (not less than 10 days) in which to review and comment upon such application, and shall establish such committee at least 5 days prior to the commencement of such review period. In connection with the establishment of such committee, such applicant shall furnish to each member of such committee a copy of the Act and this regulation.

(Public Law 92-318, section 708(b))

(b) *Composition of committee.* (1) In order to establish a districtwide advisory committee as required by this section, the applicant shall designate at least five civic or community organizations, each of which shall select a member of the committee. The civic or community organizations which participate in the selection process shall, when taken together rather than considered individually, be broadly representative of the minority and nonminority communities to be served.

(2) The applicant shall invite the appropriate local educational agency to designate as a member of the committee described in this paragraph at least one person who is an administrator, principal, or teacher employed by such agency or a member of the school board of such agency. In addition, if the local educational agency has applied for or received assistance u der this part, the applicant shall invit the advisory committee formed by ch agency in accordance with § 185 4 c) to designate at least one of its memb s as a member of the committee desc bed in this paragraph. (An advisory co mittee established in accordance w h § 185 41(c), with the appropriate a litions required to conform to the provi ons of this paragraph, may be adopted the applicant as the committee requ d by this section.)

(3) A co mittee formed under this paragraph ust be composed of equal numbers of onminority group members and of me bers from each minority group subs ntially represented in the community in the student body of the appropriate ocal educational agency. At least 50 pe centum of the nonstudent members o such committee shall be parents of children directly affected by a plar or project described in § 185.11. In addition to members appointed to t committee by civic or community org izations, and those selected pursuant t subparagraph (2) of this paragraph, e applicant shall select the minimum r mber of additional persons as may be r essary to meet the requirements of th subparagraph.

(4) In ad tion to the persons selected by the app ant pursuant to subparagraph (3) this paragraph, the applicant shall s lect from the schools of the appropriate local educational agency equal numb rs of nonminority group secondary stu ents and of such students from each inority group substantially represented in the community, so that the numbe of such students so selected will consti te 50 percent of the total membershi of such committee.

(Public Law 2-318, section 708(b))

(c) *Com nts of committee.* No application for sistance under this subpart shall be ap oved which is not accompanied by the ritten comments on a committee forr d in accordance with paragraph (b) this section. No amendment to a progra , project, or activity assisted under this ubpart shall be approved, and no ad ional funds made available, unless suc committee has been consulted and nvolved in the development of, and ha been given an opportunity to commer upon, such amendment of or additior o such program, project, or activity. S h comments shall be included wi any application submitted by such a licant for such amendments or addition

(Public Law 2-318, section 708(b))

(d) *Post ward consultation.* Each application f assistance under this subpart shall ntain an assurance that the applicant ll consult at least once a month w h its districtwide advisory comn ttee established under this section w respect to policy matters arising in e administration and operation of an program, project, or activity for which nds are made available under this su part, and that it will provide such comn ttee with a reasonable opportunity to periodically observe and comment upon all project-related activities.

(Public Law 92-318, section 708(b))

(e) *Publication.* The names of the members of the districtwide advisory committee established in accordance with paragraph (b) of this section, and a statement of the purpose of such committee, shall be published in a newspaper of general circulation or otherwise made public prior to submission of an application for assistance under this subpart. Evidence of such publication shall be submitted with such application for assistance.

(Public Law 92-318, section 708(b))

§§ 185.66–185.70 [Reserved]

Subpart H—Educational Television

§§ 185.71–185.80 [Reserved]

Subpart I—Evaluation

§§ 185.81–185.90 [Reserved]

Subpart J—Special Projects

§§ 185.91–185.94 [Reserved]

Subpart K—Reservations

§ 185.95 Reservations of funds.

(a) The Assistant Secretary hereby reserves an amount equal to 5 percent of the sums appropriated under the Act for any fiscal year for the purposes of metropolitan area projects under subpart D of this part.

(Public Law 92-318, sections 704(b)(1), 709)

(b) The Assistant Secretary hereby reserves:

(1) An amount equal to 4 percent of the sums appropriated under the Act for any fiscal year for the purposes of special projects under subpart J of this part;

(2) An amount equal to 4 percent of the sums so appropriated for the purposes of bilingual activities under subpart E of this part;

(3) An amount equal to 4 percent of the sums so appropriated for the purposes of educational television projects under subpart H of this part; and

(4) An amount equal to 1 percent of the sums so appropriated for the purpose of evaluations under subpart I of this part.

(Public Law 92-318, sections 704(b)(2), 708(a), 708(c), 711, 713)

(c) The Assistant Secretary hereby reserves an amount equal to 15 percent of the sums appropriated under the Act for any fiscal year for grants to, and contracts with, local educational agencies for pilot programs or projects pursuant to subpart C of this part.

(1) The sums reserved under this paragraph shall be apportioned to each State in accordance with section 705(a)(1) of the Act, and shall be used in such States only for the purposes described in this paragraph.

(2) The amount by which the sum apportioned to a State for a fiscal year for the purposes described in this paragraph exceeds the amount which the Assistant Secretary determines will be

required for [illegible] fiscal year [illegible] pilot programs [illegible] able for reapportionment to other States in accordance with section 705(b) of the Act for the purposes described in this paragraph. Upon a determination by the Assistant Secretary that no need exists in any State for funds for such purposes, such excess amount shall be available for reapportionment to other States in accordance with section 705(b) of the Act for grants or contracts pursuant to subpart B of this part. Upon a further determination by the Assistant Secretary that no need exists in any State for funds for the purposes described in subpart B of this part, such remaining excess amount shall be available for reapportionment to other States in accordance with section 705(b) of the Act for grants or contracts pursuant to subpart G of this part.

(Public Law 92-318, sections 705(a)(2), 705(b), 706(b))

(d)(1) The Assistant Secretary hereby reserves (i) an amount equal to 4 percent of the sums appropriated under the Act for any fiscal year for grants to, or contracts with, public or nonprofit private agencies, institutions, or organizations (other than local educational agencies), pursuant to § 185.61(a)(1), and (ii) an amount equal to 4 percent of the sums appropriated under the Act for any fiscal year for grants to, or contracts with, public or nonprofit private agencies, institutions, or organizations (other than local educational agencies and nonpublic elementary or secondary schools) pursuant to § 185.61(a)(2).

(2) The sums reserved under this paragraph shall be apportioned to each State in accordance with section 705(a)(1) of the Act, and shall be used in such States only for the purposes described in this paragraph.

(3) The amount by which the sum apportioned to a State for a fiscal year for the purposes described in this paragraph exceeds the amount which the Assistant Secretary determines will be required for such fiscal year for such grants or contracts shall be available for reapportionment to other States in accordance with section 705(b) of the Act for the purposes described in this paragraph. Upon a determination by the Assistant Secretary that no need exists in any State for funds for such purposes, such excess amount shall be available for reapportionment to other States in accordance with section 705(b) of the Act for grants or contracts pursuant to subpart B or subpart C of this part.

(Public Law 92-318, sections 705(a)(3), 705(b), 706(b))

§§ 185.96–185.100 [Reserved]

APPENDIX A—GRANT TERMS AND CONDITIONS

1. Definitions.
2. Scope of the project.
3. Limitations on costs.
4. Allowable costs.
5. Accounts and records.
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8. [illegible]
9. [illegible]
10. Applicability of State and local laws and institutional procedures.
11. Copyright and publication.
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13. Final accounting.
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21. Use of consultants.
22. Clearance of forms.
23. Grant related income and investment income.
24. Changes in key personnel.
25. Animal care.

1. *Definitions.* As used in the grant documents relating to this award, the following terms shall have the meaning set forth below.

(a) "Assistant Secretary" means the Assistant Secretary for Education or his duly authorized representative.

(b) "Grantee" means the agency, institution, or organization named in the grant as the recipient, and includes recipients of funds under assistance contracts, which are referred to as "grants" for purposes of these Terms and Conditions.

(c) "Grants Officer" means the designee of the Assistant Secretary who is authorized to execute, and is responsible for the administration of, the grant on behalf of the Government.

(d) "Project Officer" means the designee of the Assistant Secretary who is responsible for the technical monitoring of the project of the Grantee as representative of the Grants Officer.

(e) "Project Director" is the person responsible for directing the project of the Grantee.

(f) "Project" is the activity or program defined in the proposal approved by the Assistant Secretary for support.

(g) "Grant Period" means the period specified in the Notification of Grant Award during which costs may be charged against a Grant.

(h) "Budget" means the estimated cost of performance of the project as set forth in the Notification of Grant Award.

2. *Scope of the project.* The project to be carried out hereunder shall be consistent with the proposal as approved for support by the Assistant Secretary and referred to in the Notification of Grant Award and shall be performed in accordance with this approved project proposal. No substantive changes in the program of a project shall be made unless the Grantee submits (at least [illegible]0 days prior to the effective date of the proposed change) an appropriate amendment thereto, along with the justification for the change, and this amendment is approved in writing by the Grants Officer.

3. *Limitation on costs.* (a) The total costs to the Government for the performance of the grant shall not exceed the amount set forth in the Notification of Grant Award or any appropriate modification thereof. The Government shall not be obligated to reimburse the grantee for costs incurred in excess of such amounts unless or until the Grants Officer has notified the grantee in writing that such amount has been increased and has specified such increased amount in a revised Notification of Grant Award. Such revised amount shall thereupon constitute the revised total cost of the performance of the grant.

(b) The Grantee may transfer funds among the direct-cost object class budget categories to the extent necessary to assure the effectiveness of the project, except for the following restrictions: For each budget period, prior written approval must be obtained from the Grants Officer if (1) the grant budget is over $100,000 and the cumulative among the direct-cost object class budget class budget categories exceeds $10,000 or 5 percent of the grant budget, whichever is greater; (2) the grant budget is $100,000 or less and the cumulative amount of transfers among direct-cost object class budget categories exceeds 5 percent of the grant budget; or (3) the revisions involve in the transfer of amounts budgeted for indirect costs to absorb increases in direct costs. In multiple funded projects, no transfer of funds is authorized which will cause such funds to be used for purposes other than those originally intended.

(c) Funds for the production of audio visual materials (i.e., motion picture films, videotapes, film strips, slide sets, tape recordings, exhibits, or combinations thereof) for viewing, whether for limited or general public use, are not authorized until prior written approval is received from the Grants Officer.

(d) In the case of educational training programs, the limitation on costs stated in paragraph (a) above shall automatically be increased to cover the cost of allowance for additional dependents not specified in the Notification of Grant Award.

4. *Allowable costs.* (a) Expenditures of the Grantee may be charged to this grant only if they (1) are incurred subsequent to the effective date of the project indicated in the Notification of Grant Award, which shall be no earlier than the date upon which the award document is signed by the Grants Officer, and (2) conform to the approved project proposal.

(b) Subject to paragraph (a) and to the requirements of § 185.13(a) of the regulation, allowability of costs incurred under this grant shall be determined in accordance with the principles and procedures set forth in the documents identified below, as amended prior to the date of the award.

(1) Exhibit X-3-65-1 of the Department of Health, Education, and Welfare Grants Administration Manual, if the Grantee is an institution of higher education; or

(2) Exhibit X-3-66-1 of the Department of Health, Education, and Welfare Grants Administration Manual, if the Grantee is a hospital as defined therein; or

(3) Exhibit X-1-76-1 of the Department of Health, Education, and Welfare Grants Administration Manual, if the Grantee is a nonprofit institution; or

(4) Chapter 5-60 of the Department of Health, Education, and Welfare Grants Administration Manual, if the Grantee is a State or local government agency.

(c) In accordance with the policy of the Department of Health, Education, and Welfare, if the Grantee has an audited indirect cost rate that has been approved by the Department of Health, Education, and Welfare, Office of Grants Administration Policy, this approved rate may be applied to both the Federal and non-Federal share of allowable direct costs of the project. When an indirect cost rate is applied to either the Federal or non-Federal share of project costs, no item normally included in the Grantee's indirect cost pool (such as supervision, accounting, budgeting, or maintenance) shall be listed as a direct cost of the project. Procedures for establishing Indirect Cost Rates are covered in Department of Health, Education, and Welfare brochures: OASC-1, A Guide for Educational Institutions; OASC-3, A Guide for Hospitals; OASC-5, A Guide for Nonprofit Institutions; OA[illegible] [illegible] ernment Agencies, [illegible], Department of Health, Education, and Welfare Provisions for Establishing Indirect Cost Rates under OMB Circular A-88; and OASC-8, A Guide for Local Government Agencies.

(d) Indirect costs for educational training programs will be allowed at the lesser of the organizational indirect costs or 8 percent of total direct costs, including stipends and dependency allowances, except for State and local governments.

5. *Accounts and records.*—(a) *Records.* The Grantee shall keep intact and accessible records relating to the receipt and expenditure of Federal funds (and to the expenditure of the recipient's contribution to the cost of the project, if any) in accordance with section 434(a) of the General Educations Provisions Act, including all accounting records and related original and supporting documents that substantiate direct and indirect costs charged to the grant.

(b) *Period of retention.* (1) Except as provided in paragraphs (b)(2) and (d) below, the records specified in paragraph (a) above shall be retained for 3 years after the date of the submission of the final expenditure report, or, for grants which are renewed annually, for 3 years after the date of the submission of the annual expenditure report.

(2) Records for nonexpendable personal property which was acquired with Federal funds shall be retained for 3 years after the final disposition of such property.

(c) *Microfilm copies.* The Grantee may substitute microfilm copies in lieu of original records in meeting the requirements set forth herein.

(d) *Audit questions.* The records involved in any claim or expenditure which has been questioned by Federal audit shall be further retained until resolution of any such audit questions.

(e) *Audit and examination.* The Secretary of Health, Education, and Welfare and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to all such records and to any other pertinent books, documents, papers, and records of the recipient.

6. *Payment procedures.* To obtain Federal funds, the Grantee shall receive payments in accordance with the payment schedule which is set forth in the Special Terms and Conditions.

7. *Reports.* The Grantee shall submit such fiscal and technical reports as may be required in the grant or by the Grants Officer, and in the quantity and at the time stated in the report schedule which is set forth in the Special Terms and Conditions.

8. *Printing and duplicating.* All printing and duplicating authorized under this grant is subject to the limitations and restrictions contained in the current issue of the U.S. Government Printing and Binding Regulations if done for the use of the Department within the meaning of those Regulations.

9. *Audits.* (a) All expenditures by the Grantee shall be audited by the Grantee or at the Grantee's direction to determine, at a minimum, the fiscal integrity of financial transactions and reports, and compliance with laws and regulations.

(b) The Grantee shall schedule such audits with reasonable frequency (usually annually, but not less frequently than once every 2 years) considering the nature, size, and complexity of the activity.

(c) Copies of audit reports shall be made available to the Assistant Secretary to assure that proper use has been made of the funds expended. The results of such audits will be used to review the Grantee's records and shall be made available to Federal auditors. Federal auditors shall be given access to such [illegible]

(d) Each Grantee shall use a single auditor for all its expenditures under Federal education assistance programs, regardless of the number of Federal agencies providing such assistance.

10. *Applicability of State and local laws and institutional procedures regarding expenditure of funds.* Except to the extent otherwise provided for in this document or any document incorporated herein by reference, nothing herein or therein shall be construed so as to alter the applicability to the Grantee of any State or local law, rule, regulation, or any institutional procedure which would otherwise pertain to the expenditure of funds.

11. *Copyright and publication.* (a) The term "materials" as used herein means writing, sound recordings, films, pictorial reproductions, drawings or other graphic representations, computer programs, and works of any similar nature produced under this grant. The term does not include financial reports, cost analyses, and similar information incidental to grant administration.

(b) It is the policy of the Department that the results of activities supported by it should be utilized in the manner which would best serve the public interest.

(c) Where the grant results in a book or other copyrightable materials, the author or Grantee is free to copyright such materials, but the Assistant Secretary reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use such materials for Government purposes.

12. *Acknowledgement and disclaimer in publication.* (a) Any publication or presentation resulting from or primarily related to the project being performed hereunder shall contain the following acknowledgment: "The project presented or reported herein was performed pursuant to a Grant from the Department of Health, Education, and Welfare. However, the opinions expressed herein do not necessarily reflect the position or policy of the Department and no official endorsement by the Department should be inferred."

(b) Materials produced as a result of the grant may be published without prior review by the Assistant Secretary, provided that 15 copies of such materials shall be furnished to the Grants Officer and no such materials may be published for sale without the prior approval of the Grants Officer. Such approval shall be subject to such requirements as the Assistant Secretary deems appropriate.

13. *Final accounting.* (a) In addition to such other accounting as the Assistant Secretary may require, the Grantee shall render, with respect to the program, project, or activity assisted under the grant, a full final accounting of funds expended, obligated, and remaining. A report of such accounting shall be submitted to the Assistant Secretary within 90 days of the expiration or termination of the grant, and the recipient shall remit within 30 days of the receipt of a written request therefor any amounts found by the Assistant Secretary to be due. Such period may be extended at the discretion of the Assistant Secretary upon the written request of the recipient.

14. *Travel.* Travel allowances shall be paid in accordance with applicable State and local laws and regulations and grantee policies. If none of these are applicable, travel shall be done in accordance with Federal Government regulations. No foreign travel is authorized under the grant unless prior approval is received from the Grants Officer. Travel between the United States and Guam, American Samoa, Puerto Rico, the U.S. Virgin Islands, the Canal Zone, and Canada is not considered foreign travel.

15. *Property management.*—(a) *Definitions.* The following definitions apply:

(1) *Real property.* Real property means land, land improvements, structures, and appurtenances thereto, excluding movable machinery and equipment.

(2) *Personal property.* Personal property means property of any kind except real property. It may be tangible (having physical existence) or intangible (having no physical existence, such as patents, inventions, and copyrights).

(3) *Nonexpendable personal property.* Nonexpendable personal property means tangible personal property having a useful life of more than 1 year and an acquisition cost of $300 or more per unit. A Grantee may use its own definition of nonexpendable property provided that such definition would at least include all tangible personal property as defined in this paragraph.

(4) *Expendable personal property.* Expendable personal property refers to all tangible personal property other than nonexpendable personal property.

(b) *Personal property acquisitions.* Personal property shall be acquired by the Grantee in whole or in part with Federal funds only to the extent required for the performance of the grant, and in quantities and dollar amounts not to exceed those specified elsewhere in the approved project proposal. Real property shall not be acquired in support of the grant.

(c) *Title.* Title to nonexpendable personal property acquired by the Grantee in whole or in part with Federal funds shall vest in the Grantee. Title to federally owned nonexpendable property which is provided to the Grantee shall remain vested in the Federal Government.

(d) *Use.* The Grantee shall use personal property acquired or provided under the grant solely in the performance of the grant.

(1) The Grantee shall retain the property acquired with Federal funds in the grant program as long as there is a need for the property to accomplish the purpose of the grant program, whether or not the program continues to be supported by Federal funds. When there is no longer a need for the property to accomplish the purposes of the grant program, the Grantee shall use the property in connection with other Federal grants it has received in the following order of priority:

(*a*) Grants from the Assistant Secretary or the Office of Education necessitating use of the property;

(*b*) Grants from other Federal agencies necessitating use of the property.

(2) When the Grantee no longer needs the property in any of its Federal grant programs, the property may be used for its own official activities in accordance with the following standards:

(*a*) *Nonexpendable property with an acquisition cost of less than $500 and used 4 years or more.* The Grantee may use the property for its own official activities without reimbursement to the Federal Government, or may sell the property and retain the proceeds.

(*b*) *All other nonexpendable property.* The Grantee may retain the property for its own use, provided that a fair compensation is made to the original grantor agency for the latter's share of the property. The amount of compensation shall be computed by applying the percentage of Federal participation in the grant program to the current fair market value of the property.

(e) *Disposition.* If the Grantee has no need for the property, disposition of the property shall be as follows:

(1) *Nonexpendable property with an acquisition cost of $1,000 or less.* Except for property which meets the criteria of paragraph (d)(2)(*a*) above, the Grantee shall

sell the property and reimburse the Federal agency in an amount which is computed in accordance with subdivision (b) of this subparagraph.

(2) *Nonexpendable property with an acquisition cost of over $1,000.* The Grantee shall request disposition instructions from the grantor agency. If the Grantee is instructed to ship the property elsewhere, the Grantee shall be reimbursed by the benefiting Federal agency in an amount which is computed by applying the percentage of the Grantee's participation in the grant program to the current fair market value of the property, plus any shipping or interim storage costs incurred. If the Grantee is instructed to dispose of the property otherwise, he shall be reimbursed by the Federal grantor agency for the costs incurred in such disposition. If disposition instructions are not issued within 120 days after reporting, the Grantee shall sell the property and reimburse the Federal grantor agency in an amount which is computed by applying the percentage of the Federal participation in the grant program to the sales proceeds. Further, the Grantee shall be permitted to retain $100 or 10 percent of the proceeds, whichever is greater, for the Grantee's selling and handling expenses.

(3) *Federally owned nonexpendable personal property.* Upon the completion or termination of the grant (or the expiration of need for the property for any Federal grant purposes), the Grantee shall report to the Grants Officer in writing the federally-owned nonexpendable personal property acquired or provided under the grant.

(f) *Management standards.* The Grantee's property management standards for nonexpendable personal property shall also include the following procedural requirements:

(1) Property records shall be maintained accurately and provide for a description of the property; acquisition date and cost; source of the property; percentage of Federal funds used in the purchase of the property; location, use, and condition of the property; and ultimate disposition data including sales price or the method used to determine current fair market value if the Grantee reimburses the grantor agency for its share;

(2) A physical inventory of the property shall be taken and the results reconciled with the property records at least once every 2 years to verify the existence, current utilization, and continued need for the property;

(3) A control system shall be in effect to insure adequate safeguards to prevent loss, damage, or theft to the property. Any loss, damage, or theft of nonexpendable property shall be investigated and fully documented;

(4) Adequate maintenance procedures shall be implemented to keep the property in good condition; and

(5) Proper sales procedures shall be established for unneeded property which provide for competition to the extent practicable and result in the highest possible return.

(g) *Expendable personal property.* When the total inventory value of any unused expendable personal property exceeds $500 at the expiration of need for such property for any Federal grant purposes, the Grantee may retain or sell the property, provided the Federal Government is reimbursed for its share in the costs in accordance with paragraph (d)(2)(b) above.

(h) *Intangible property.* If any program produces patents, patent rights, processes, or inventions in the course of work aided by a Federal grant, such fact shall be promptly and fully reported to the grantor agency. The grantor agency shall determine whether protection on such invention or discovery shall be sought and how the rights in the i[illegible]ention or discovery (including rights un[illegible]r any patent issued thereon) shall be dispos[illegible] of and administered in order to protect t[illegible] public interest consistent with the State[illegible]nt of Gov[illegible]ment Patent Policy (36 FR 16[illegible]).

16. Con[illegible]ting and *procurement.* Recipients may [illegible]e their own procurement regulations whi[illegible] reflect applicable State and local law, rules[illegible] and regulations, provided that procureme[illegible]s made with Federal funds adhere to th[illegible] standards set forth as follows:

(a) The [illegible]recipient shall maintain a code or standar[illegible] of conduct which shall govern the perfor[illegible]ance of its officers, employees, or agents [illegible] contracting with and expending Federal fu[illegible]s. Recipient's officers, employees, or agents, [illegible]hall neither solicit nor accept gratuities, [illegible]avors, or anything of monetary value fro[illegible] contractors or potential contractors. T[illegible] the extent permissible by State or local [illegible]v, rules, or regulations, such standards [illegible]all provide for penalties, sanctions, or [illegible]her disciplinary actions to be applied fo[illegible] violations of such standards by either the [illegible]ecipient, officers, employees, or agents, or [illegible] contractors or their agents.

(b) All [illegible]ocurement transactions regardless of whe[illegible]er negotiated or advertised and without re[illegible]d to dollar value shall be conducted in [illegible] manner so as to provide maximum open [illegible]and free competition. The recipient sh[illegible]d be alert to organizational conflicts of [illegible]terest or noncompetitive practices amon[illegible] contractors which may restrict or elimina[illegible] competition or otherwise restrain trade.

(c) The [illegible]cipient shall establish procurement proc[illegible]ures which provide for, as a minimum, [illegible] following procedural requirements:

(1) Propo[illegible]d procurement actions shall be reviewed by [illegible]ecipient officials to avoid purchasing un[illegible]cessary or duplicative items. Where appr[illegible]riate, an analysis shall be made of lease an[illegible] purchase alternatives to determine which [illegible]would be the most economical, practical pr[illegible]urement.

(2) Invita[illegible]ons for bids or requests for proposals s[illegible]l be based upon a clear and accurate des[illegible]iption of the technical requirements for t[illegible] material, product, or service to be procu[illegible]d. Such description shall not, in competit[illegible]e procurements, contain features which [illegible]nduly restrict competition.

(3) Positi[illegible] efforts shall be made by the recipients t[illegible] utilize small business and minority-ow[illegible]d business sources of supplies and services. [illegible]uch efforts should allow these sources the [illegible]aximum feasible opportunity to compete [illegible]r contracts to be performed utilizing Fed[illegible]al grant funds.

(4) The t[illegible]e of procuring instruments used (i.e., fi[illegible]d price contracts, cost-reimbursable con[illegible]acts, purchase orders, incentive contract[illegible] etc.), shall be appropriate for the particula[illegible] procurement and for promoting the best [illegible]terest of the Federal program involved. Th[illegible] "cost-plus-a-percentage-of-cost" metho[illegible] of contracting shall not be used.

(5) Formal [illegible] advertising, with adequate purchase des[illegible]ription, sealed bids, and public openings [illegible]ll be the required method of procurement [illegible]less negotiation pursuant to paragraph (6[illegible] below is necessary to accomplish sound [illegible]ocurement. However, procurements of $2,5[illegible] or less need not be so advertised unless [illegible]herwise required by State or local law or [illegible]gulations. Where such advertised bids are [illegible]btained the awards shall be made to the [illegible]ponsible bidder whose bid is responsive to [illegible]he invitation and is most advantageous [illegible]o the recipient, price and other factors [illegible]onsidered. (Factors such as discounts, tr[illegible]sportation costs, and taxes may be consid[illegible]ed in determining the lowest bid.) Invitations for bids shall clearly set forth all requirements which the bidder must fulfill in order for his bid to be evaluated by the recipient. Any or all bids may be rejected when it is in the recipient's interest to do so, and such rejections are in accordance with applicable State and local law, rules, and regulations.

(6) Procurements may be negotiated if it is impracticable and unfeasible to use formal advertising. Generally, procurements may be negotiated by the recipient if:

(*a*) The public exigency will not permit the delay incident to advertising;

(*b*) The material or service to be procured is available from only one person or firm. (All contemplated sole source procurements where the aggregated expenditure is expected to exceed $5,000 shall be referred to the Assistant Secretary for prior approval.)

(*c*) The aggregate amount involved does not exceed $2,500;

(*d*) The contract is for personal or professional services, or for any service to be rendered by a university, college, or other educational institution;

(*e*) The material or services are to be procured and used outside the limits of the United States and its possessions;

(*f*) No acceptable bids have been received after formal advertising;

(*g*) The purchases are for highly perishable materials or medical supplies, for materials or services where the prices are established by law, for technical items or equipment requiring standardization and interchangeability of parts with existing equipment, for experimental, developmental or research work, for supplies purchased for authorized resale, and for technical or specialized supplies requiring substantial initial investment for manufacture; and

(*h*) Such procedure is otherwise authorized by law, rules, or regulations.

Notwithstanding the existence of circumstances justifying negotiation, competition shall be obtained to the maximum extent practicable.

(7) Contracts shall be made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such matters as contractor integrity, record of past performance, financial and technical resources, or accessibility to other necessary resources.

(8) Procurement records or files for purchases in amounts in excess of $2,500 shall provide at least the following pertinent information: justification for the use of negotiation in lieu of advertising, contractor selection, and the basis for the cost or price negotiated.

(9) A system for contract administration shall be maintained to assure contractor conformance with terms, conditions, and specifications of the contract or order, and to assure adequate and timely followup of all purchases.

(d) The recipient shall include, in addition to provisions to define a sound and complete agreement, the following provisions in all contracts and subgrants:

(1) Contracts shall contain such contractual provisions or conditions which will allow for administrative, contractual, or legal remedies in instances where contractors violate or breach contracts' terms, and provide for such sanctions and penalties as may be appropriate.

(2) All contracts, amounts for which are in excess of $2,500, shall contain suitable provisions for termination by the recipient including the manner by which it will be effected and the basis for settlement. In addition, such contracts shall describe condi-

tions under [illegible] contr[illegible] terminated [illegible] where the contract may be terminated because of circumstances beyond the control of the contractor.

(3) All negotiated contracts (except those of $2,500 or less) awarded by recipients shall include a provision to the effect that the recipient, the Assistant Secretary, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the contractor which are directly pertinent to a specific Federal program for the purpose of making audit, examination, excerpts, and transcriptions.

17. *Health and safety standards.* Whenever the Grantee, acting under the terms of the grant, shall rent, lease, purchase, or otherwise obtain classroom facilities (or any other facilities) which will be used by students and faculty, the Grantee shall comply with all health and safety regulations and laws applicable to similar facilities being used in that locality for such purpose.

18. *Compensation.* If a staff member is involved simultaneously in two or more projects supported by funds from the Federal Government, he may not be compensated for more than a total of 100 percent time from such Government funds for all projects during any given period of time. The grantee shall not use any grant funds or funds from other sources to pay a fee to, or travel expenses of, employees of the Department for lectures, attending program functions, or other activities in connection with the grant.

19. *Labor standards.* To the extent that grant funds will be used for alteration and repair (including painting and decorating) of facilities, the Grantee shall furnish the Grants Officer with the following:

(a) A description of the alteration or repair work and the estimated cost of the work to be performed at the site;

(b) The proposed advertising and bid opening dates for the work;

(c) The city, county, and State at which the work will be performed; and

(d) The name and address of the person to whom the necessary wage determination and labor standards provisions are to be sent for inclusion in contracts, not later than 6 weeks prior to the advertisement for bids for the alteration or repair work to be performed. The Grantee shall also include or have included in all such alterations or repairs the wage determination and labor standards provisions that are provided and required by the Secretary of Labor under 29 CFR Parts 3 and 5.

20. *Equal employment opportunity.* With respect to repair and minor remodeling, the Grantee shall comply with and provide for Contractor and Subcontractor compliance with the requirements of Executive Order 11246, as amended, as implemented by 41 CFR Part 60. The terms required by Executive Order 11246 will be included in any contract for construction work or modification [illegible]

21. *Use of consultants.* (a) The hiring of and payments to consultants shall be in accordance with applicable State and local laws and regulations and grantee policies. However, for the use of and payment to consultants whose rate will exceed $100 per day, prior written approval for the use of such consultants must be obtained from the Grants Officer.

(b) The Grantee must maintain a written report for the files on the results of all consultations charged to this grant. This report must include, as a minimum: (1) the consultant's name, dates, hours, and amount charged to the grant; (2) the names of the grantee staff to whom the services are provided; and (3) the results of the subject matter of the consultation.

22. *Clearance of forms.* To permit monitoring and clearance, the Grantee is to submit to the appropriate Project Officer prior to use, five copies of all tests, questionnaires, interview schedules or guides, and rating scales which are to be employed in collecting data from 10 or more individuals or organizations. A brief report of related information (such as purposes of the study, relevance of the data-gathering instruments to these purposes, nature of the sample, number of respondents, burden on respondents, etc.) must accompany the copies of the instruments, in accordance with directions from the Department. Exceptions:

(a) Copies need not be submitted of conventional instruments which deal solely with (1) cognitive functions or technical proficiency (e.g., scholastic aptitude, school achievement, etc.), (2) routine demographic information, or (3) routine institutional information; but a report of the "related information" (as specified above) concerning the particular data-gathering instruments must be supplied to the Project Officer in order to permit appropriate monitoring and clearance.

(b) Ordinary classroom tests employed in the development of a new curriculum or as part of the regular instruction routine, constituting part of the project for which funds are granted, need be neither reported nor submitted; but final tests employed in such a project, serving purposes of evaluation, must be reported; and, if significantly unusual in such essential features as content, directions, form of response, etc., must be submitted in five copies.

23. *Grant related income and investment income.* (a) Interest or other income earned by investment of the grants funds is termed "Investment Income." Grantees other than a State or State agency shall return such funds to the Assistant Secretary. State or State agencies are not accountable for their use of Investment Income.

(b) Royalties received from copyrights and patents, funds received from sale of products or services, fees received for personal services, where such funds are derived from activities supported or funded by the grant, are termed "Grant Related Income." Accountability for Grant Related Income shall be satisfied in accordance with the following requirements:

(1) Funds received from royalties on copyrights or patents during the grant period shall be retained by the Grantee and either (*a*) added to the funds already committed to the program, or (*b*) deducted from total project costs for the purpose of determining the net costs on which the Federal share of cost will be based.

(2) After termination or completion of the grant, the Federal share of royalties in excess of $200 received annualy shall be returned to the Assistant Secretary for deposit as Miscellaneous Receipts in the U.S. Treasury. The Federal share of royalties shall be computed on the same basis as the Federal share of the total project cost.

(3) All other income earned during the grant period shall be retained by the Grantee and shall be either (*a*) added to funds committed to the project by the Government and the Grantee and used to further eligible program objectives, (*b*) deducted from the total project costs of the grant for the purpose of determining the net costs on which the Federal share of costs will be based, or (*c*) used to reimburse the Grantee for allowable costs which, for budgetary or other reasons, have previously been treated as nonreimbursable. Such income may not be used to reimburse the Grantee for unallowable costs.

(4) The expenditure of the Federal share of Grant Related Income shall not be considered in meeting cost sharing or matching requirements, except under those programs where it is clear that legislative intent was to permit such income to be used for such purposes.

(5) If the Grantee receives any grant related income in connection with the grant, the maintenance of records of the receipt and disposition of the grant related income shall be in accordance with the requirements set forth in Term and Condition No. 5, "Accounts and Records."

24. *Changes in key personnel.* The Project Director and other grant personnel specified by name in the proposal are considered to be essential to the work being performed. If for any reason substitution of a specified individual becomes necessary, the Grantee shall provide timely written notification to the Grants Officer. Such written notification shall include the successor's name with a resumé of his qualifications.

25. *Animal care.* Where research animals are used in any project financed wholly or in part with Federal funds, every precaution shall be taken to assure proper care and humane treatment of such animals.

[FR Doc.73-2392 Filed 2-5-73;8:45 am]

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in article 1. A voucher with respect to an assistance payment under the requirements of section 5(b) of the Act shall be supported by certified statements regarding operating expenses for the preceding year and an estimate of operating expenses for the year with respect to which the voucher is submitted, amounts furnished by the State to the School for maintenance and support and evidence of compliance with the requirements of section 5(b) of the Act as required by the Administration. A voucher submitted for an assistance payment not under the requirements of section 5(b) of the Act shall be supported by certified statements regarding operating expenses for the preceding year and an estimate of operating expenses for the year with respect to which the voucher is submitted and amounts furnished by the State to the School for maintenance and support. Upon approval by the Administration of the vouchers referred to above, payment shall be made by the Administration to the School. All vouchers and payments hereunder are subject to Administration General Order 87.

(b) The School shall submit a voucher monthly, in form approved by the Administration, for the subsistence payments provided for in article 2. Said voucher shall be supported by a certified daily attendance report listing the names of all students and the number of days each is entitled to payments as stated on such voucher. Upon approval of the voucher referred to above in this paragraph (b) by the Administration, payment shall be made by the Administration to the School. All vouchers and payments hereunder are subject to Administration General Order 87.

ART. [illegible] It is understood that the [illegible] an adequate [illegible] assistance [illegible] under the Act and this agreement.

ART. [illegible] Regulations.—This agreement is [illegible] the provisions of Administration General Order [illegible] shall comply with said general order with respect to [illegible] the Administration [illegible] and any other matters arising under this agreement.

ART. [illegible] No member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom [illegible] this agreement if made with a corporation for its general benefit. [illegible] 432 [illegible]

ART. [illegible] under this agreement [illegible] the Administration [illegible] the School appeals by [illegible] to the Secretary of Commerce. The decision of the Secretary of Commerce or his duly authorized representative for the hearing of such appeals unless [illegible] mined by a court of competent jurisdict[illegible] n to have been fraudulent, arbitrary, capri[illegible] ous or so grossly erroneous as necessarily [illegible] imply bad faith, or is not supported by s[illegible] stantial evidence, shall be final and con[illegible] ve. In connection with any appeal, the Sc[illegible] l shall be afforded an opportunity to be [illegible] ard and to offer evidence in support of its a[illegible] peal. Pending final decision of a dispute her[illegible] nder, the School shall proceed diligently [illegible] h performance of the agreement in accord[illegible] e with the decision of the Administrator.

ART. 9. *Durat[illegible] of agreement.*—This agreement is effectiv[illegible] as of the day and year here[illegible] above set for[illegible] and shall remain in full force and effec[illegible] for a period of 1 year after said date, unles[illegible] sooner terminated by either party as herein [illegible] rovided.

ART. 10. *Ter[illegible] nation of agreement.*—This agreement ma[illegible] terminated by either party upon sixty (60[illegible] days' written notice to the other party her[illegible] to: *Provided, However,* That notwithstandi[illegible] any such termination the parties hereto [illegible] all continue to be responsible for the fa[illegible] ful performance of all of the terms and pro[illegible] ions of said agreement up to the effectiv[illegible] date of such termination. Termination or [illegible] xpiration of this agreement shall neither a[illegible] ect nor relieve either party of any liabilit[illegible] r obligation that may have arisen or accru[illegible] prior thereto.

ART. 11. *Re[illegible] wal of agreement.*—Unless terminated on [illegible] tice as provided for herein, the rights and [illegible] ivileges granted to and the obligations ass[illegible] ned by the parties together with all other [illegible] rovisions of this agreement shall continue [illegible] n full force and effect and shall be re[illegible] from year to year for an additional per[illegible] of one (1) year from the expiration dat[illegible] herein, unless either party shall at least [illegible] months prior to the date of expirat[illegible] of an additional 1 year period notify the [illegible] other party in writing that it does not desir[illegible] the agreement to be extended for such addi[illegible] nal 1 year period. This agreement as exten[illegible] year by year as aforesaid, may be amend[illegible] modified, or supplemented [illegible] in writing at a[illegible] time by the mutual consent of the parties [illegible]

In w[illegible] of, the United States of America, repre[illegible] nted as aforesaid, has caused this agreeme[illegible] to be executed in its behalf in [illegible] counter[illegible] on the day and year first w[illegible] above.

THE UNITED STATES OF AMERICA,
DEPARTMENT OF COMMERCE,
MARITIME ADMINISTRATION.

[illegible] Secretary of Commerce
for Maritime Affairs

[illegible]

By [illegible]

Attest: [illegible]

Secretary.
Attest: [illegible]

Approved as to form:

General Coun[illegible]
Maritime A[illegible] inistration.

By order of the Assistant Secretary of Commerce for Maritime Affairs.

Dated: Apr[illegible] 12, 1973.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.73-[illegible]05 Filed 4-23-73;8:45 am]

Title 49—Transportation

SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION

[CGD 73-68]

PART 7—PUBLIC AVAILABILITY OF INFORMATION

Change of Nomenclature of "Hearing Examiner"

The purpose of this amendment to the regulations governing the availability to the public of the records of the Department of Transportation is to reflect the change of nomenclature from "Hearing Examiner" to "Administrative Law Judge".

In FR Doc. 72-14069, appearing on page 16787 of the August 19, 1972 issue of the FEDERAL REGISTER, the Civil Service Commission amended part 930 of title 5 of the Code of Federal Regulations by changing the nomenclature of "Hearing Examiner" to "Administrative Law Judge." The amendment in this document conforms to the change in 5 CFR Part 930 by making the same change wherever such nomenclature or similar nomenclature appears in appendix B of Part 7, Title 49, Code of Federal Regulations.

Since the amendment in this document relates to agency management, it is excepted by 5 U.S.C. 553(a) from the notice of proposed rulemaking procedures and from the requirements of an effective date of not less than 30 days after publication the FEDERAL REGISTER.

In consideration of the foregoing, appendix B of Part 7, Title 49, Code of Federal Regulations is amended as follows:

1. By striking the words "hearing examiner", "officer" and "hearing officer" wherever they appear and inserting "administrative law judge" in place thereof.

(46 U.S.C. 375, 416; 14 U.S.C. 633; 49 U.S.C. 1655(b)(1); 49 CFR 1.1(c) and 1.46(b).)

Effective date.—These amendments shall become effective on April 30, 1973.

Dated: April 13, 1973.

C. R. BENDER,
Admiral, U.S. Coast Guard
Commandant.

[FR Doc.73-7897 Filed 4-23-73;8:45 am]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 185—EMERGENCY SCHOOL AID

Notice of proposed rulemaking was published in the FEDERAL REGISTER on March 2, 1973, at 38 FR 5644, setting forth specific requirements for the award of assistance for metropolitan area projects under sections 706(a)(2) and 709 of the Emergency School Aid Act, for bilingual bicultural projects under section 708(c) of the act, for educational television projects under section 711 of the [illegible] for evaluation contracts under section 711 of the act, and for special projects under section 708(a) of the act. Such requirements were set forth as proposed subparts D, F, H, I, and J of this part 185.

Comments were received with respect to the required faculty composition in an integrated school to be established or maintained under sections 706(a)(2) and 709(a)(1) of the act (§ 185.31(a)(2)), the minimum enrollment required for an education park to be assisted under the act (§ 185.31(c)(2)), the amount of information required of applicants for metropolitan area projects (§ 185.33), the advisory committee requirements related to certain types of metropolitan area projects (§ 185.37(b)), the requirement that applications for bilingual bicultural projects be related to local educational agencies implementing a plan for desegregation or for the elimination, reduction, or prevention of minority group isolation (§ 185.51), the criteria for evaluating metropolitan area and bilingual bicultural projects (§§ 185.34 through 185.36, 185.54), provision of information to bilingual bicultural project committees or boards (§§ 185.55(a)(1) and (b)(1)), the requirement that applicants for educational television projects list the race of their key personnel (§ 185.73(e)(2)), opportunities for State educational agencies to comment upon educational television applications (§ 185.73), and the activities authorized under evaluation contracts and the information requested of applicants for such contracts (§§ 185.82, 185.83(a)). After review of the comments the following changes were made:

A—SUMMARY OF CHANGES BASED ON COMMENTS RECEIVED

1. Section 185.31(c)(2) has been amended to allow local educational agencies applying for education park planning assistance to count elementary as well as secondary students in meeting the requirement that such parks enroll at least 5,000 students. Under section 709(a)(3) of the act, however, assistance may only be awarded to the extent that such parks provide secondary education.

2. Section 185.33 has been amended to eliminate the requirement that local educational agencies applying for metropolitan area projects provide the information required by § 185.13(b)(2) as to local fiscal effort and current expenditure per pupil, on the ground that such a requirement is unduly burdensome in the case of multiple applicants seeking assistance for metropolitan projects. Such applicants continue to be bound by the assurance as to maintenance of effort required by § 185.13(c)(1).

3. Because of the large number of local educational agencies which may apply jointly for area-wide plan and education park grants under § 185.31 [illegible] and [illegible], § 185.37(b)(3) has been amended to permit such applicants to [illegible] the number of teacher named [illegible] required advisory committee pursuant to § 185.41. In addition, some [illegible] standard metropolitan statistical areas include a number of minority groups which individually make up a very small percentage of the area's population. § 185.37(b)(1) has been amended to permit applicants under §§ 185.31(b) and (c) to include members of such groups on their required advisory committees without having to match the representation required for nonminority group members and members of minority groups substantially represented in the community. Under the revised § 185.37(b)(1) the number of members from all such substantially represented minority groups, taken together, must equal the number of members from each other racial or ethnic group represented on the committee.

4. A new § 185.55(c) has been added to insure that wherever possible, applicants for bilingual bicultural projects will make the required publications, and will furnish the required materials to their project committees or boards, in the language of the appropriate minority group, as well as in English.

5. Sections 185.82 and 185.83(a)(2) have been amended to emphasize the importance placed on statistical design and control in the award of evaluation contracts. In addition, § 185.83(a)(3) has been amended to require applicants for such contracts to indicate the race of their key personnel in order to establish that such personnel are of sufficiently diverse backgrounds to insure adequate interpretation of data and appropriate management of the sensitive problems presented by evaluations in the area of equal educational opportunity. However, no particular proportion of minority or nonminority group personnel is required.

B—OTHER CHANGES

A number of minor changes have been made either to correct clerical errors or to affect solely technical technical matters.

C—SUMMARY OF COMMENTS

1. A comment was received questioning the requirement in § 185.31(a)(2) that the percentage of minority group faculty members in an integrated school established or maintained under sections 706(a)(2) and 709(a)(1) of the Act be equal to the percentage of minority group students enrolled in such a school. The Act, in section 720(6), requires such schools (1) to enroll minority group students in a proportion at least equal to one-half the percentage of such students enrolled in all the public elementary and secondary schools of the affected Standard Metropolitan Statistical Area, and (2) to have a faculty and administrative staff with "substantial representation" of minority group members. In view of the importance of creating in such schools a congenial atmosphere for minority group students enrolling as a result of interdistrict transfers, the faculty requirement set forth in § 185.31(a)(2) is considered to be the most reasonable interpretation [illegible]

Where [illegible] applicants [illegible] fulfill this requirement will be encouraged to employ educators previously displaced in the process of desegregation.

2. A number of commenters protested the requirement in §§ 1785.51 (a) and (b) that applications for bilingual bicultural projects must be related to a local educational agency implementing a plan for desegregation or for elimination, reduction, or prevention of minority group isolation. These commenters noted that many local educational agencies in need of bilingual bicultural assistance enroll high percentages of minority group students and thus cannot desegregate or eliminate, reduce, or prevent minority group isolation to any significant degree. Section 708(c) of the Act, however, expressly limits bilingual bicultural assistance to local educational agencies which are eligible for (though not necessarily receiving) assistance under section 706 of the Act, which requires the types of plans discussed above. Since under § 185.54(a)(2), only 30 points are awarded for the effectiveness of such plans in evaluating applications for bilingual bicultural projects (as opposed to 60 points in the case of applications for basic grants under section 706(a) of the Act), a local educational agency implementing a relatively modest plan (or a nonprofit applicant proposing to serve such an agency) may still be able to qualify for assistance on the basis of the other criteria set forth in § 185.54. Bilingual education assistance not related to desegregation or reduction of minority group isolation is available under title VII of the Elementary and Secondary Education Act of 1965.

3. One commenter questioned the weight given to statistical criteria in evaluating applications for metropolitan area projects (§§ 185.34(a), 185.35(a), 185.36(a)), and what the commenter considered the low number of points awarded under the proposed criteria for parent and community involvement in bilingual bicultural projects (§ 185.54(b)(3)(iv)). It was felt that the number and percentage of minority group children in the affected school district or Standard Metropolitan Statistical Area was an important indication of need for a metropolitan area project, and that the anticipated reduction of minority group isolation was a primary factor in determining a particular project's effectiveness in accomplishing the statutory purposes set forth in sections 702(b) and 709 of the Act. Moreover, the proposed regulation (in §§ 185.34(c), 185.35(c), and 185.36(c)) authorizes the Assistant Secretary not to approve any application which is educationally deficient, whatever its rating on the statistical criteria. In the case of bilingual bicultural projects no application can be considered for funding until the applicant has complied with the stringent community involvement requirements of section 710(c)(2), as implemented by § 185.55 of the proposed regulation. The points awarded pursuant to § 185.54(b)(3)(iv) for parent [illegible] involvement are for [illegible] and these already [illegible] requirements.

4. One commenter objected to the inclusion of the race of key personnel in the information required under § 185.73(e)(2) of applicants for educational television projects. This information is for the purpose of enabling the Assistant Secretary to make the determination, called for in section 711(b)(3) of the Act, as to whether the applicant will employ minority group members in responsible positions. As with a similar request for information under § 185.83(a)(3) with respect to evaluation contracts, no particular percentage of minority group employees is required. Nor should the request in § 185.73(e)(2) as to the race of personnel "to be employed" be taken as an attempt to impose a percentage requirement on future hiring; the regulatory language merely recognizes the fact that many applicants may not actually employ project staff members until their application is approved. In response to another comment, this subparagraph has been amended to include information as to the bilingual/bicultural background of staff members where the application is for a project directed at non-English dominant children.

5. One commenter asserted that State educational agencies should have an opportunity to review and comment upon applications for educational television projects under subpart H. State educational agencies, of course, may themselves apply for such projects, and local educational agencies applying under subpart H are required to provide the appropriate State agency with an opportunity to review and comment upon such applications (§ 185.73(c), incorporating § 185.13(j)). Where the applicant is another type of public or private agency which may propose to serve a wide geographical area, however, such a requirement was felt to be impracticable and unduly burdensome.

On March 3, 1973, after reviewing a draft of the proposed new subparts for one month, the National Advisory Council on Equality of Educational Opportunity, meeting in Washington, D.C., approved subparts D, F, H, and J of the proposed regulation. The amendments to subpart I described above reflect the comments of members of the National Advisory Council.

After consideration of the above comments and consultation with the National Advisory Council as required by section 716 of the Act, part 185 of title 45 of the Code of Federal Regulations is hereby revised as proposed, by addition of subparts D, F, H, I, and J as set forth below.

Federal financial assistance provided pursuant to the Emergency School Aid Act is subject to the regulation in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare and approved by the President, to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d). [illegible] is also subject to title IX of the Education Amendments of 1972 [illegible] (1881).

Effective date. As appears from the above summary, the modifications herein do not involve any changes of a substantial nature from the provisions which were published in the FEDERAL REGISTER of March 2, 1973, as proposed rulemaking. Accordingly, this regulation shall be effective on April 24, 1973.

Dated April 6, 1973.

S. P. MARLAND, Jr.,
Assistant Secretary for Education.

Approved April 20, 1973.

FRANK CARLUCCI,
Education, and Welfare.
Acting Secretary of Health,

PART 185—EMERGENCY SCHOOL AID

Subpart D—Metropolitan Area Projects

Sec.
185.31 Eligibility for assistance.
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185.33 Applications.
185.34 Criteria for assistance (interdistrict transfers).
185.35 Criteria for assistance (area-wide plans).
185.36 Criteria for assistance (education parks).
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Subpart F—Bilingual Projects

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Subpart H—Educational Television

185.71 Eligibility for assistance.
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185.74 Criteria for assistance.
185.75 Advisory committees.
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185.77–185.80 [Reserved]

Subpart I—Evaluation

185.81 Eligibility for awards.
185.82 Authorized activities.
185.83 Applications.
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185.85 Limitations on eligibility.
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Subpart J—Special Projects

185.91 Eligibility for assistance.
185.92 Applications.
185.93 Criteria for assistance.
185.94 Community involvement.

AUTHORITY: Except as specifically noted below, the provisions of these subparts of Part 185 are issued under title VII of Public Law 92-318, 86 Stat. 354–371 (20 U.S.C. 1601–1619).

Subpart D—Metropolitan Area Projects

§ 185.31 Eligibility for assistance.

(a) *Interdistrict transfers.* (1) A local educational agency (i) which is located within a Standard Metropolitan Statistical Area or which serves a school district adjacent to a school district which is located wholly within such an area, and (ii) whose total student [illegible] of minority group members which is smaller than the percentage of minority group members enrolled as students in all schools of the local educational agencies within such an area, may apply for assistance, by grant or contract, from funds reserved pursuant to § 185.95(a), for the purpose of a joint arrangement with a cooperating local educational agency located within the same Standard Metropolitan Statistical Area (whose student enrollment includes a percentage of minority group members which is greater than the percentage of minority group members enrolled as students in all schools of the local educational agencies within such area) for the establishment or maintenance of one or more integrated schools.

(2) For purposes of this paragraph, an integrated school must have an enrollment in which (i) at least 40 per centum of the children are from families whose income is higher than the median family income for the school district served by the applicant, the appropriate Standard Metropolitan Statistical Area (or the appropriate governmental unit for which such information is available), or the Nation, whichever is lowest, or (ii) at least 50 per centum of the children currently score at or above the 60th percentile on a recognized standard reading achievement test, when compared either with students of a comparable age or grade level in the schools of the applicant or the appropriate Standard Metropolitan Statistical Area or with national norms, whichever is lowest, and (iii) the proportion of minority group children is at least 50 per centum of the proportion of minority group children enrolled in all schools of the local educational agencies within the Standard Metropolitan Statistical Area. In no event shall the minority group enrollment in any such school exceed 50 per centum. For purposes of this paragraph, such a school must have a faculty in which the percentage of minority group teachers, supervisors, and administrators, taken together, is equal to or greater than the percentage of minority group members in the student body of such school.

(3) A joint arrangement assisted under this subpart shall consist of the enrollment in schools of the applicant of students residing in the district served by, or attending the schools of, the cooperating local educational agency. No such arrangement shall result in an increase in the degree of minority group isolation in any school operated by any local educational agency. Students so enrolled by the applicant shall be selected from those who, in the absence of such enrollment, would be enrolled in, or assigned to, a minority group isolated school, and shall be representative of the larger group from which they are selected.

(20 U.S.C. 1605(a)(2), 1608(a)(1), 1619(6); Senate Rept. No. 92-61, p. 18)

(b) *Area-wide plans.* (1) Two or more local educational agencies located within a Standard Metropolitan Statistical Area [illegible] for a [illegible] from funds re- [illegible] for the [illegible] to reduce and eliminate minority group isolation to the maximum extent possible in the public elementary and secondary schools in such area. Such a plan shall, at a minimum, provide that by a certain date (not later than July 1, 1983), the percentage of minority group children enrolled in each public elementary and secondary school in such area shall be at least 50 percent of the percentage of such children enrolled in all such schools in such area, and shall specify in detail the means by which such objective is to be achieved.

(2) No grant shall be made under this paragraph unless (i) two-thirds or more of the local educational agencies in a Standard Metropolitan Statistical Area have approved the application; (ii) the number of students in the schools of such agencies which have approved such application constitutes two-thirds or more of the students in all schools of the local educational agencies in such area; and (iii) at least one of the schools operated by a local educational agency in such area is a minority group isolated school.

(20 U.S.C. 1608(a)(2))

(c) *Education parks.* (1) One or more local educational agencies located within a Standard Metropolitan Statistical Area may apply for a grant from funds reserved pursuant to § 185.95(a) to pay all or part of the cost of planning an integrated education park.

(2) For purposes of this paragraph, an integrated education park is a school, or cluster of schools located on a common site (i) within a Standard Metropolitan Statistical Area; (ii) in which at least 5,000 elementary or secondary school students are regularly enrolled; (iii) providing secondary education as defined by the applicable State law; and (iv) with a student enrollment and faculty which conform to the requirements of paragraph (a)(2) of this section (except that in the case of an application pursuant to this paragraph by a single local educational agency, the proportion of minority group children enrolled in such an integrated education park shall be substantially the same as the proportion of minority group children enrolled in all schools of such agency).

(20 U.S.C. 1608(a)(3))

(d) *Agreements and approvals.* Applicants for assistance under this subpart shall provide assurances and information satisfactory to the Assistant Secretary establishing that a joint arrangement described in paragraph (a) of this section, the joint development of a plan described in paragraph (b) of this section, the required approvals of an application submitted pursuant to paragraph (b) of this section, or any other arrangement, agreement, or approval required pursuant to this subpart has been negotiated by or obtained from the appropriate local educational agency or agencies. Such required assurances or information may include:

(1) Signatures on applications for assistance under this subpart of authorized officials of such applicants or agencies;

(2) Copies of school board resolutions or other evidence of final official action approving and agreeing to carry out an arrangement or agreement or indicating an approval required pursuant to this subpart; and

(3) In the case of interdistrict transfers to be undertaken upon the award of assistance pursuant to paragraph (a) of this section, evidence that notice of the intent to engage in such a transfer program upon the award of such assistance has been published in a newspaper of general circulation serving all affected school districts no later than 20 days prior to submission of an application for such assistance.

(20 U.S.C. 1608)

§ 185.32 Authorized activities.

(a) *Interdistrict transfers.* Assistance made available pursuant to § 185.31(a) is authorized to be used for any of the authorized activities described in § 185.12(a)(1) through (12) when such activities would not otherwise be funded and are designed to carry out the purposes described in § 185.01. Such activities shall be directly related to, and necessary to, the establishment or maintenance of one or more integrated schools as described in § 185.31(a). Assistance made available pursuant to § 185.31(a) is also authorized to be used to pay the net cost, if any, to the applicant of the enrollment and education in such schools of students who are not residents of the school district served by the applicant and who, prior to the award of assistance pursuant to § 185.31(a), did not attend a school operated by the applicant.

(20 U.S.C. 1608(a)(1))

(b) *Area-wide plans.* Assistance made available pursuant to § 185.31(b) is authorized to be used for any activities reasonably necessary to the joint development of a plan described in § 185.31(b), when such activities would not otherwise be funded and are designed to carry out the purposes described in § 185.01. No funds made available pursuant to § 185.31(b) shall be used for any costs related to construction or to any repair or remodeling.

(20 U.S.C. 1608(a)(2))

(c) *Education parks.* Assistance made available pursuant to § 185.31(c) is authorized to be used for activities reasonably necessary to the planning of an education park as described in § 185.31(c), when such activities would not otherwise be funded and are designed to carry out the purposes described in § 185.01. Such activities may include demographic surveys, selection of construction sites, studies of academic achievement, development of educational specifications, and community and parental involvement. Funds awarded pursuant to § 185.31(c) shall not be used to pay any costs related to construction, preparation of construction [illegible]

[illegible]

(20 U.S.C. 1608 [illegible])

§ 185.33 Applications.

An applicant desiring to receive assistance under this subpart for any fiscal year shall submit to the Assistant Secretary an application therefor for that fiscal year, which application shall set forth a program, project, or activity under which, and such policies and procedures as will assure that, the applicant will use the funds received under this subpart only for the activities set forth in § 185.32. Such application, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and the Assistant Secretary. Such application shall comply with the requirements of § 185.13 (a) through (n), except that applications submitted pursuant to this subpart need not comply with § 185.13(i)(2), and applications for assistance under § 185.31 (b) and (c) need not comply with § 185.13(h) (with respect to the statement of procedures described therein) or § 185.13(n).

(20 U.S.C. 1608(a) (2) and (3))

§ 185.34 Criteria for assistance (interdistrict transfers).

(a) *Statistical criteria.* In approving applications for assistance pursuant to § 185.31(a), the Assistant Secretary shall apply the following statistical criteria (75 points):

(1) The need for such assistance, as indicated by the number and percentage of minority group children enrolled in the schools of the local educational agency cooperating with the applicant for the fiscal year or years for which assistance is sought (30 points); and

(2) The net reduction in minority group isolation, in terms of the number of children affected, accomplished or to be accomplished by the interdistrict transfers to be assisted pursuant to § 185.31(a) (45 points). The term "net reduction in minority group isolation," for purposes of this subparagraph, means the number of minority group children, weighted by their relative degree of isolation prior to such transfers, removed from minority group isolated schools as a result of such transfers.

(20 U.S.C. 1609(c) (1), (2), and (3))

(b) *Educational and programmatic criteria.* The Assistant Secretary shall determine the educational and programmatic merits of applications for assistance pursuant to § 185.31(a) on the basis of the following criteria (30 points):

(1) *Statement of objectives (6 points).* (i) The degree to which the applicant sets out specific measurable objectives for its program, project, or activity, in relation to students normally enrolled in the schools of the applicant and those enrolled or to be enrolled as a result of the proposed transfers; and (ii) the degree to which (a) the program, project, or activity to be assisted promises realis[illegible] to achieve [illegible] objectives identi[illegible] d (b) such pro[illegible] y involves to the

fullest extent practicable the total educational resources, both public and private, of the community to be served.

(2) *Activities (17 points)*—(i) *Project design (5 points)*. The extent to which (*a*) the proposed program, project, or activity emphasizes individualized instruction and services; (*b*) students to be served are afforded an opportunity to contribute to, and suggest changes in, the proposed program, project, or activity; (*c*) the proposed program, project, or activity promotes interracial and intercultural understanding; and (*d*) the proposed program, project, or activity involves both students regularly enrolled in the affected school and those affected by the proposed interdistrict transfers.

(ii) *Staffing (3 points)*. The extent to which the application (*a*) sets out an adequate staffing plan which includes provisions for making maximum use of present staff capabilities, and (*b*) provides for continuing training of staff in order to increase the effectiveness of the proposed program, project, or activity;

(iii) *Delivery of services (5 points)*. The extent to which the application contains evidence that (*a*) arrangements have been made for participation of students affected by the proposed transfers in extracurricular and afterhours activities at the school to which they are transferred; (*b*) arrangements have been made for the participation of parents of such students in school-related activities, and (*c*) school-related activities affecting such students will be carried out in their home communities; and

(iv) *Parent and community involvement (4 points)*. The extent to which the application (*a*) delineates specific opportunities for community and advisory committee participation in the development and implementation of the proposed program, project, or activity in addition to those required by § 185.37, and (*b*) includes evidence that such participation has been encouraged and has in fact occurred.

(3) *Resource management (3 points)*. The extent to which the application contains evidence that (i) the amount of funds requested is of sufficient magnitude in relation to the number of participants to be served to give substantial promise of achieving the stated objectives; (ii) the costs of project components are reasonable in relation to the expected benefits; and (iii) the proposed project will be coordinated with related [illegible].

(4) *Evaluation (4 points)*. The extent to which the application sets out a format for objective quantifiable measurement of the success of the proposed program, project, or activity in achieving its stated objectives, including (i) a [illegible] for compilation of data for [illegible] and a method of reviewing the program, project, or activity in the light of such data; (ii) a description of instruments to be used for evaluation of the proposed program, project, or activity; and of the method for validating [illegible] where necessary, or a description of the procedure to be employed in selecting such instruments; and (iii) provisions for comparison of evaluation results with norms, control group performance, results of other programs, or other external standards.

(5) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the area of education and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. [illegible](b), 1608(a)(11), 1609(c)(1), (2), (4), and (6))

(c) *Funding criteria*. In determining amounts to be awarded to applicants for assistance pursuant to § 185.31(a), the Assistant Secretary shall consider the additional cost to such applicant (as such cost is defined in § 185.13(a)) of effectively carrying out its proposed program, project, or activity, in relation to the amount of funds available for assistance under this subpart and the other applications pending before him. The Assistant Secretary shall not be required to approve any application which does not meet the requirements of the Act or this subpart, or which sets forth a program, project, or activity, of such insufficient promise for achieving the purposes of the Act that its approval is not warranted. In applying the criterion set out in this paragraph, the Assistant Secretary shall award funds to applicants (whose applications meet such requirements and are of sufficient promise to warrant approval) in the order of their ranking on the basis of the criteria set out in this section, and shall take steps to insure a distribution of awards among the several types of programs, projects, or activities authorized by this subpart. No more than 30 per centum of the funds made available pursuant to § 185.31(a) (or § 185.31 (b) or (c)) shall be awarded to applicants in any one State in any fiscal year, unless the Assistant Secretary determines that the applications for such awards in excess of such amount are of exceptional merit or promise.

(20 U.S.C. 16[illegible](c)(1)(C), 1609(c)(5).)

§ 185.35 Criteria for assistance (areawide plans).

(a) *Statistical criteria*. In approving applications for assistance pursuant to § 185.31(b), the Assistant Secretary shall apply the following statistical criteria (60 points):

(1) The need for such assistance, as indicated by the number and percentage of minority group children enrolled in all schools of the local educational agencies in the affected Standard Metropolitan Statistical Area for the fiscal year or years for which assistance is sought (30 points); and

(2) The net reduction in minority group isolation, in terms of the number of children affected, to be accomplished by the areawide plan to be developed pursuant to § 185.31(b) (30 points). The [illegible] isolation [illegible] of this subparagraph, means the weighted number of minority group children currently enrolled in minority group isolated schools in the Standard Metropolitan Statistical Area whose degree of isolation will be eliminated or reduced as a result of the plan to be developed.

(20 U.S.C. 1608(a)(2), 1609(c)(1).)

(b) *Educational and programmatic criteria*. The Assistant Secretary shall determine the educational and programmatic merits of applications for assistance pursuant to § 185.31(b) on the basis of the following criteria (30 points):

(1) *Statement of objectives (6 points)*. (i) The degree to which the applicant sets out specific measurable objectives for its program, project, or activity, in relation to the needs identified; and (ii) the degree to which (*a*) the program, project, or activity to be assisted promises realistically to result in the development and implementation of a plan as described in § 185.31(b), and (*b*) such program, project, or activity involves to the fullest extent practicable the total educational resources, both public and private, of the community to be served.

(2) *Activities (19 points)*—(i) *Project design (10 points)*. The extent to which the application includes (*a*) plans for a comprehensive demographic study of the affected Standard Metropolitan Statistical Area, including projections of housing patterns; (*b*) provisions for participation of the appropriate housing authorities, zoning boards, regional planning organizations, and other such governmental and quasi-governmental agencies; (*c*) opportunities for students in the affected area to contribute to the development of the proposed plan; (*d*) provisions for improvement of educational services offered by local educational agencies affected by the proposed plan; and (*e*) a specific timetable for completion of various elements of the plan to be developed.

(ii) ~~*Staffing (2 points)*.~~ The extent to which the application (*a*) sets out an adequate staffing plan which includes provisions for making maximum use of present staff capabilities, and (*b*) provides for participation by both minority and ~~nonminority group staff members~~; and

(iii) *Parent and community involvement (7 points)*. The extent to which the application (*a*) delineates specific opportunities for community and advisory committee participation in the development and implementation of the proposed program, project, or activity in addition to those required by § 185.37 and (*b*) includes evidence that such participation has been encouraged and has in fact occurred.

(3) *Resource management (2 points)*. The extent to which the application contains evidence that (i) the amount of funds requested is of sufficient magnitude to give substantial promise of achieving the stated objectives; (ii) the [illegible] program, project, or activity [illegible] existing [illegible] (iii) [illegible] facilities will be

utilized after implementation of the plan to be developed.

(4) *Evaluation* (3 points). The extent to which the application sets out a format for measurement of success in attaining specific objectives and subobjectives.

(5) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1601(b), 1609(a)(1), 1609(c)(1), (4), and (6))

(c) *Funding criteria.* In determining amounts to be awarded for assistance pursuant to § 185.31(b), the Assistant Secretary shall apply the criteria set forth in § 185.34(c).

(20 U.S.C. 1609(c)(1)(C), 1609(c)(5))

§ 185.36 Criteria for assistance (education parks).

(a) *Statistical criteria.* In approving applications for assistance pursuant to § 185.31(c), the Assistant Secretary shall apply the following statistical criteria (65 points):

(1) The need for such assistance, as indicated by the number and percentage of minority group secondary students enrolled in the schools of the applicant(s) for the fiscal year or years for which assistance is sought (30 points); and

(2) The estimated number and percentage of minority group secondary students currently enrolled in minority group isolated secondary schools of the applicant(s) who will be incorporated into the proposed education park (35 points).

(20 U.S.C. 1601(b), 1609(c)(1))

(b) *Educational and programmatic criteria.* The Assistant Secretary shall determine the educational and programmatic merits of applications for assistance pursuant to § 185.31(c) on the basis of the following criteria (35 points):

(1) *Needs assessment* (6 points). The extent to which the application (i) provides for participation of parents, secondary students, and other members of the affected community in the identification of needs related to secondary education and the elimination, reduction, or prevention of minority group isolation; (ii) describes a variety of methods and instruments to be used for collection and evaluation of relevant and substantive data regarding such needs; and (iii) contains evidence that the assessment of needs to be carried out in connection with the proposed program, project, or activity will be coordinated with other planning activities conducted by the applicant(s).

(2) *Statement of objectives* (5 points). (i) The degree to which the application sets out specific measurable objectives for the proposed program, project, or activity in relation to the needs identified, and (ii) the degree to which (a) the program, project, or activity to be assisted promises realistically to address the needs identified in the application, and (b) such program, project, or activity involves to the fullest extent practicable the total educational resources both public and private, of the community to be served.

(3) *Activities* (17 points). (i) *Project design* (6 points). The extent to which the application (a) describes a logical sequence of steps to be completed at specified intervals; (b) contains convincing evidence that the proposed education park will increase the educational options available to secondary school students; (c) provides for the participation of secondary students and teachers in designing the physical and educational aspects of the proposed education park; (d) proposes a logical combination of small educational units and centralized administration within the proposed education park; and (e) contains convincing evidence that the proposed education park will be constructed in an area which is equally accessible and convenient to minority and nonminority group secondary students;

(ii) *Staffing* (4 points). The extent to which the application (a) sets out an adequate staffing plan which includes provisions for making maximum use of, and provides for participation by both minority and nonminority group staff members; and

(iii) *Parent and community involvement* (7 points). The extent to which the application (a) delineates specific opportunities for community and advisory committee participation in the development and implementation of the proposed program, project, or activity in addition to those required by § 185.37, and (b) includes evidence that such participation has been encouraged and has in fact occurred.

(4) *Resource management* (2 points). The extent to which the application contains (i) evidence that the amount of funds requested is of sufficient magnitude to give substantial promise of achieving the stated objectives; (ii) evidence that the proposed program, project, or activity will be coordinated with existing efforts; and (iii) a description of how existing secondary school facilities will be utilized after establishment of the proposed education park.

(5) *Evaluation* (5 points). The extent to which the application sets out a format for measurement of success in attaining specific objectives and subobjectives.

(6) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1601(b), 1609(a)(1), 1609(c)(1), [illegible])

(c) *Funding criteria.* In determining amounts to be [illegible] assistance pursuant to § 185.31(c), the Assistant Secretary shall apply the criteria set forth in § 185.34(c). No more than one award shall be made pursuant to § 185.31(c) to local educational agencies making individual applications until at least one such award has been made to local educational agencies applying jointly, and the number of such awards to such agencies making individual applications shall not exceed the number of such awards to such agencies applying jointly, unless the joint applications pending before the Assistant Secretary do not meet the requirements of the Act or this subpart, or set forth programs, projects, or activities of such insufficient promise for achieving the purposes of the Act that their approval is not warranted.

(20 U.S.C. 1609(c)(1)(C), 1609(c)(5); Senate Rept. No. 92–61, p. 17)

§ 185.37 Advisory committees.

(a) *Interdistrict transfers.* (1) Applicants for assistance under § 185.31(a) shall comply with the requirements of § 185.41 as to advisory committee participation and public hearings. For purposes of this paragraph, references in § 185.41 to "the community" or "communities to be served" shall be understood to refer to the areas in both the school district served by the applicant and that served by the cooperating local educational agency.

(2) For purposes of this paragraph, the reference in § 185.41(h) to a "school which will be affected by any program, project, or activity assisted under the Act" shall be understood to refer to the integrated schools established pursuant to § 185.31(a).

(3) Student advisory committees established pursuant to this paragraph, in addition to meeting the requirements of § 185.41(h), shall consist of equal numbers of students regularly enrolled in such schools and of students enrolled in such schools by virtue of the interdistrict transfers assisted under § 185.31(a).

(20 U.S.C. 1609(a) (2) and (3), 1609(b).)

(b) *Area-wide plans and education parks.* (1) Applications for assistance under §§ 185.31 (b) and (c) shall comply with the requirements of §§ 185.41(a) through (g) as to advisory committee participation and public hearings. For purposes of this paragraph, the references in § 185.41 to "the community" or "communities to be served" shall be understood to refer to the entire area to be affected by the plan to be developed under § 185.31(b) or the education park proposed pursuant to § 185.31(c). Where the affected Standard Metropolitan Statistical Area includes members of minority groups in insubstantial proportions, applicants for assistance under §§ 185.31 (b) and (c) may establish a committee pursuant to this paragraph which includes equal numbers of nonminority group members and of members from each minority group substantially represented in the community, and an equal number of members, taken together from other minority groups represented in the community.

(2) Only one advisory committee shall be established pursuant to this paragraph, regardless of the number of local educational agencies joining in the application for assistance.

(3) Applicant agencies shall designate teachers to serve as members of such committee in accordance with § 185.41 (c)(2), except that committees established pursuant to this paragraph shall not be required to include more than 6 teacher members.

(4) Student members of such committee selected in accordance with § 185.41 (e)(4) shall include at least one student enrolled in the schools of each applicant agency (and, in the case of an application for assistance under § 185.31 (b), of each local educational agency approving such application), except that committees established pursuant to this paragraph shall not be required to include more than 6 student members.

§ 185.38 Limitations on eligibility.

(20 U.S.C. 1609(a)(2) and (3), 1609(b))

The limitations on eligibility set forth in § 185.43, the provisions of § 185.44 as to waiver of ineligibility, and the provisions of § 185.45 as to termination of assistance shall apply to all applicants or recipients of assistance under this subpart.

(20 U.S.C. 1605(d), 1608, 1609(a) and (b))

§§ 185.39–185.40 [Reserved]

Subpart F—Bilingual Projects

§ 185.51 Eligibility for assistance.

(a) Any local educational agency which is implementing a plan described in § 185.11 (a) or (b) may apply for assistance, by grant or contract, from funds reserved pursuant to § 185.95(b)(2), (1) to develop educational programs designed (i) to meet the educational needs of minority group children who are from environments in which a dominant language is other than English for the development of reading, writing, and speaking skills in the English language and their primary language, and (ii) to meet the educational needs of such children and their classmates to understand the history and cultural background of the minority groups of which such children are members; or (2) to carry out activities authorized by § 185.12 to implement the educational programs described in this paragraph (whether or not developed with assistance made available under this subpart).

(20 U.S.C. 1607(c)(1)(B) and (C))

(b) Any nonprofit private agency, institution, or organization may apply for assistance, by grant or contract, under this subpart to develop the educational programs described in paragraph (a) of this section: *Provided however*, That such development is requested by one or more local educational agencies which are implementing a plan described in § 185.11 (a) or (b).

(20 U.S.C. 1607(c)(1)(A))

(c) For purposes of determining eligibility for assistance under this subpart, the Assistant Secretary may determine that members of any specific ethnic group with limited English-speaking ability constitute a "minority group," as that term is used in this subpart and in § 185.11, upon a finding that such group has been denied equal educational opportunity because of language barriers and cultural differences. Applications for assistance under this subpart relating to local educational agencies which are implementing plans described in § 185.11 (a) or (b) with respect to Negroes, American Indians, Spanish-surnamed Americans, Portuguese, Orientals, Alaskan natives, or Hawaiian natives shall be considered only on the basis of such plans. No plan affecting a minority group other than those named in the preceding sentence shall be deemed to qualify an applicant for assistance under this subpart if it results in an increase in minority group isolation for any member of any minority group named in the preceding sentence.

(20 U.S.C. 161[illegible]9)(A))

§ 185.52 Authorized activities.

(a) Funds made available under this subpart shall be used for the activities described in § 185.51, where such activities would not otherwise be funded and are designed to carry out the purposes described in § 185.01.

(20 U.S.C. 1607(c)(1))

(b) All applications for assistance under this subpart shall contain a plan for implementation of any educational program developed or proposed to be developed, whether or not assistance is sought for such implementation. No more than 25 per centum of the funds made available under this subpart shall be awarded for development activities pursuant to § 185.51(a)([illegible]).

(20 U.S.C. 1607(c)(1))

(c) All applications for assistance under this subpart shall contain a plan for in-service training of teachers and other ancillary educational personnel in skills related to implementation of the educational programs described in § 185.51(a), including cultural awareness, oral or written language skills in a language other than English, and diagnostic evaluation and prescriptive teaching techniques.

(20 U.S.C. 1607(c)(1); Senate Rept. No. 92-61, p. 23)

(d) All programs, projects, or activities assisted under this subpart shall be specifically designed to complement any programs, projects, or activities assisted under subparts B and C of this part, or under title [illegible] or title VII of the Elementary and Secondary Education Act of 1965 or other programs of Federal financial assistance related to the purposes of this subpart.

(20 U.S.C. [illegible](c)(3))

(e) Educational programs to be developed and implemented pursuant to §§ 185.51 (a)(1)(i) and (a)(2) shall provide for the participation of nonminority group children as well as those from minority groups, unless the applicant conclusively demonstrates that such participation will not contribute to the success of the proposed program, project, or activity. Educational programs to be developed and implemented pursuant to §§ 185.51 (a)(1)(ii) and (a)(2) shall provide for such participation. All applications for assistance under this subpart shall include activities with respect to the educational programs described in both §§ 185.51(a)(1) (i) and (ii).

(20 U.S.C. 1607(c)(1))

(f) The limitations on authorized activities set forth in §§ 185.12 (b), (c), and (d) shall apply to activities assisted under this subpart.

(20 U.S.C. 1601(b), 1608(a) 1607(c)(1))

§ 185.53 Applications.

(a) Application by local educational agencies for assistance under this subpart shall comply with the requirements of §§ 185.13 (a) through (n). Such applications, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and the Assistant Secretary.

(20 U.S.C. 1607(c)(1), 1609(a))

(b) Applications by nonprofit private agencies, institutions, or organizations shall comply with the requirements of §§ 185.63 (a), (b)(2), (b)(4), (b)(5), (b)(6), and (b)(7).

(20 U.S.C. 1607(c)(1))

(c) In addition to the assurances and information required by paragraph (a) or paragraph (b) of this section, applications for assistance under this subpart shall contain the following information:

(1) A description of the proposed program, project, or activity, and of such policies and procedures as will assure that the applicant will use funds received under the Act only for the activities described in § 185.52;

(2) In the case of nonprofit private applicants, evidence that the proposed activity has been requested by one or more local educational agencies which are implementing a plan described in § 185.1 (a) or (b). Such evidence may include (i) a copy of a school board resolution or other final official action requesting the assistance of the applicant, or (ii) a letter from the school board chairman or superintendent of a local educational agency requesting such assistance. No application by a nonprofit private applicant shall be approved less than 10 days after a copy of said application has been submitted by the Assistant Secretary to the appropriate State educational agency for comment, unless the Assistant Secretary has received comments from such agency upon such application prior to expiration of the 10-day period.

(3) Information as to (i) the number and percentage of minority group children in the affected school district from environments in which a dominant language is other than English who receive

instruction of any kind [illegible] to the application for assistance under this subpart. In such [illegible] the average number of hours per day such instruction is provided, and the [illegible] goals of such [illegible], (ii) the extent to which minority group children are separated [illegible] for any part of the day [illegible] for the instruction of [illegible] children [illegible] for purposes of ability grouping [illegible] tion and the educational [illegible] for such separation (including the information required by [illegible] through (4)), (iii) the extent to which materials utilized for reading instruction are varied (by primary language, subject matter, or intended level of instruction) as between the various schools in the affected school district, or between the various classrooms within such schools, and (iv) the amount of Federal funds, if any, applied for and received by the affected local educational agency for the current academic year under titles I, II, III, and VII of the Elementary and Secondary Education Act of 1965 and the Education Professions Development Act. The application shall specify the minority group of which such children are members.

(20 U.S.C. 1607(c) (1) and (3).)

§ 185.54 Criteria for assistance.

(a) *Objective criteria.* In approving applications for assistance under this subpart, the Assistant Secretary shall apply the following objective criteria (60 points):

(1) The need for such assistance, as indicated by the number and percentage of minority group children enrolled in the schools of such agency for the fiscal year or years for which assistance is sought who are from environments in which a dominant language is other than English (30 points); and

(2) The effective net reduction in minority group isolation, as defined in § 185.14(a)(2), in terms of the number and percentage of children affected, in all the schools operated by such agency accomplished or to be accomplished by the implementation of a plan described in § 185.11 (a) or (b) (30 points).

(20 U.S.C. 1607(c)(1).)

(b) *Educational and [illegible] criteria.* The Assistant Secretary shall determine the educational and [illegible] merits of applications for assistance under this subpart on the basis of the following criteria (40 points):

(1) *Needs assessment* (10 points). The severity of needs assessed by the applicant in relation to the inequality of educational opportunity [illegible] minority group children who are from environments in which a dominant language is other than English, and the degree to which the applicant has demonstrated, by standardized achievement test data and other objective [illegible] the existence of such need.

(2) *Statement of objectives* [illegible] The degree to which the ap-

[illegible]

ticipation has been encouraged and has in fact occurred.

(4) *Resource management* (5 points). The extent to which the application contains evidence that (i) the amount of funds requested is of sufficient magnitude in relation to the number of participants to be served to give substantial promise of achieving the stated objectives, (ii) the costs of project components are reasonable in relation to the expected benefits, (iii) all possible efforts have been made to minimize the amount of funds requested for purchase of equipment necessary for implementation of the proposed program, project, or activity, and (iv) the proposed program, project, or activity has been coordinated with existing programs and resources.

(5) *Evaluation (6 points).* The extent to which the application sets out a format of objective, quantifiable measurement of the success of the proposed program, project, or activity in achieving the stated objectives, including (i) a timetable for compilation of data for evaluation and a method of reviewing the program, project, or activity in the light of such data; (ii) a description of instruments to be used for evaluation of the proposed program, project, or activity (and of the method for validating such instruments where necessary), or a description of the procedure to be employed in selecting such instruments; (iii) an assessment of the validity of such instruments when used to evaluate the language skills, academic aptitude, or general intelligence of children whose primary language is other than English; and (iv) provisions for comparison of evaluation results with norms, control group performance, results of other programs, or other external standards.

(6) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1601(b), 1607(c)(1), 1607(c)(2)(A)(i)(II), 1607(c)(3), 1609(a)(11).)

(c) *Funding criteria.* (1) In determining the amounts to be awarded to applicants for assistance under this subpart, the Assistant Secretary shall consider the additional cost to such applicant (as such cost is defined in § 185.13(a)) of effectively carrying out its proposed program, project, or activity, in relation to the amount of funds available for assistance under this subpart and the other applications for such assistance pending before him. The Assistant Secretary shall not be required to approve any application which does not meet the requirements of the Act or this part, or which sets forth a program, project, or activity of such insufficient promise for achieving the purposes of the Act that its approval is not warranted. In applying the criteria set out in this paragraph, [illegible] shall [illegible] to [illegible] those applications [illegible] a program [illegible] warrants approval [illegible] the order of their ranking on the basis of the criteria set out in this section until the sums available for the purpose [illegible] been exhausted [illegible].

(2) No more than [illegible] of the funds available for [illegible] pursuant to this subpart [illegible] year shall be awarded [illegible] proposals to carry out [illegible] projects, or activities with respect to [illegible] local educational agencies in any one State, unless the Assistant Secretary determines that the applications pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit [illegible] purpose.

(20 U.S.C. 1607 [illegible])

§ 185.55 Program or project committees.

(a) *Local educational agencies*—(1) *Consultation, public hearing, publication.* Local educational agencies applying for assistance under this subpart shall comply with the requirements as to advisory committee participation and public hearings set forth in § 185.41 (a), (b), (c), and (d). For purposes of this subparagraph, references in such paragraphs to a "district-wide advisory committee" shall be understood to refer to the program or project committee required by this paragraph.

(2) *Composition of committee.* (i) In order to establish a program or project committee as required by this paragraph, a local educational agency shall designate at least five civic or community organizations, each of which shall select a member of the committee. The civic or community organizations which participate in the selection process shall, when taken together rather than considered individually, be broadly representative of the minority and nonminority communities to be served by the proposed program, project, or activity.

(ii) Such agency shall, after consultation with the appropriate teachers' organization(s), either (a) designate two classroom teachers, one of whom is a member of the minority group whose educational needs the proposed program, project, or activity is designed to meet, to serve as members of the committee required by this paragraph, or (b) delegate the responsibility for such selections to the appropriate teachers' organization(s).

(iii) Such agency shall designate two administrators or school board members, one of whom is a member of a minority group as described in subdivision (ii) of this subparagraph, to serve as members of the committee required by this paragraph.

(iv) At least 50 per centum of the members of a committee formed under this subparagraph must be members of a minority group as described in subdivision (ii) of this subparagraph. At least [illegible] per centum of the members of the [illegible] parents of children [illegible] affected by a plan [illegible] (a) or (b) or a program, project, or activity assisted under this [illegible]

[illegible]

For purposes of this subparagraph, references in such paragraphs to a "district-wide advisory committee" shall be understood to refer to the program or project board required by this paragraph. Applications submitted by nonprofit private organizations shall describe in detail how such program or project boards will exercise policymaking authority with respect to the proposed program, project, or activity.

(2) *Composition of board.* (i) In order to establish a program or project board as required by this paragraph, the applicant shall designate at least 5 civic or community organizations, each of which shall select a member of the board. The civic or community organizations which participate in the selection process shall, when taken together rather than considered individually, be broadly representative of the minority and nonminority communities to be served.

(ii) The applicant shall invite the appropriate local educational agency to designate as members of the board described in this subparagraph a classroom teacher and an administrator or school board member, one of whom is a member of a minority group as described in paragraph (a)(2)(ii) of this section.

(iii) At least 50 per centum of the members of the board formed under this subparagraph must be members of a minority group as described in paragraph (a)(2)(ii) of this section. Such board shall have at least 10 members. At least 50 per centum of the members of such board shall be parents of children directly affected by a plan described in § 185.11 (a) or (b), or a program, project, or activity assisted under this subpart. In addition to members appointed pursuant to paragraphs (b)(2) (i) and (ii) of this section, and taking into account the students to be appointed pursuant to paragraph (b)(2)(iv) of this section, the applicant shall select the minimum number of additional persons as may be necessary to meet the requirements of this subdivision.

(iv) Board members appointed pursuant to paragraphs (b)(2) (i), (ii), and (iii) of this section shall select at least two secondary school students, half of whom are members of a minority group as described in paragraph (a)(2)(ii) of this section, to serve as members of the board required by this paragraph. Such students shall be regularly enrolled in a secondary school or schools operated by the appropriate local educational agency.

(3) *Approval by board.* No application for assistance under this subpart shall be approved which is not accompanied by the written comments of a board formed in accordance with paragraph (b)(2) of this section indicating that a majority of the members of such board have approved the program, project, or activity set forth in such application.

(4) *Comments and suggestions by board.* No amendment to a program, project, or activity assisted under this sub[illegible] additional [illegible] this subpart, [illegible] board have

[illegible]

§ 185.56 Limitations on eligibility; [illegible] public participation.

The limitations on eligibility [illegible] § 185.[illegible] shall apply to educational agencies applying for assistance under this subpart. The provisions of § 185.44 as to waiver of ineligibility shall apply to local educational agencies applying for assistance under this subpart. The provisions of § 185.45 as to termination of assistance shall apply to all recipients of assistance under this subpart. The provisions of § 185.42 as to participation of children or staff enrolled in or employed by nonpublic schools shall apply to local educational agencies applying for assistance under this subpart.

[illegible]

§§ 185.57–185.60 [Reserved]

Subpart H—Educational Television

§ 185.71 Eligibility for assistance.

(a) Any public or nonprofit private agency, institution, or organization with the capability of providing expertise in the development of television programming may apply for assistance for support from funds reserved pursuant to § [illegible] to pay the cost of development and production of [illegible] television programs of cognitive and affective educational value. [illegible] and effective educational [illegible] are those which [illegible] skills and [illegible] acceptable [illegible].

[illegible]

(b) No more than five [illegible] be approved [illegible] in any fiscal year [illegible].

[illegible]

[illegible] free of charge and shall not be transmitted under commercial sponsorship. An application for assistance under this subpart shall include an assurance that the procedures to be followed, and the standards or criteria to be applied, in making such programs freely available for transmission will be developed in consultation with the Assistant Secretary upon completion of production of a substantial portion of the proposed television programming. For purposes of this paragraph, where the costs of transmission are met by a commercial firm, a brief statement to that effect at the beginning or end of such transmission shall not be considered commercial sponsorship. No television program developed in whole or in part with assistance made available under this subpart shall be used or transmitted in such a manner as to result in a financial benefit to any person or organization.

(20 U.S.C. 1610(b)(2); Senate Rept. No. [illegible] pp. 24-25)

(d) Funds made available under this subpart shall not be used for construction, repair or remodeling of any building or facility, or for the purchase of any equipment which has an extended useful life and is not consumed in use.

(20 U.S.C. 1610(b)(2))

§ 185.73 Applications.

(a) *General.* An applicant for assistance under this subpart for any fiscal year shall submit to the Assistant Secretary an application therefor for that fiscal year, which application shall contain such information and set forth such policies and procedures as will assure that the applicant will use funds received under this subpart only for the activities described in § 185.72.

(20 U.S.C. 1610(b)(1))

(b) *Basic assurances.* Applications for assistance under this subpart shall comply with the requirements of § 185.13 [illegible] (1) [illegible] and (3), (k)(2), and (m).

(20 U.S.C. 1609(a), 1610(b)(1))

(c) *Assurances by local educational agencies.* Applications by local educational agencies for assistance under this subpart shall comply with the requirements of § 185.14 [illegible], in addition to the requirements specified in paragraph (b) and (e) of this section. Such applications, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and the Assistant Secretary.

(20 U.S.C. 1609(a), 1610(b)(1))

(d) *Assurances by other applicants.* Applications by public or nonprofit private agencies, institutions, or organizations other than local educational agencies under this subpart shall comply with the requirements of §§ 185.63(b) [illegible] where appropriate, [illegible] to be presented [illegible] of the subject.

(20 U.S.C. [illegible])

[illegible] *Additional* [illegible] Applicants [illegible] the subject [illegible] information, in addition to the [illegible] and information [illegible] by [illegible]:

(1) A detailed description of the [illegible] treated by [illegible] to be [illegible] together with all the objectives of the audience to be reached [illegible] grams and a statement of the [illegible] tional and other [illegible];

(2) A statement of the name, address [illegible] experience in educational television and [illegible] and [illegible] of [illegible] permanently [illegible] positions of responsibility [illegible] applicant on the development [illegible] and administrative staff;

(3) A detailed description of the formative evaluation procedures [illegible] by the applicant in [illegible] in evaluating the [illegible] and [illegible] to be [illegible] by children viewing the television programs for which assistance is sought;

(4) A statement of past activities [illegible] by the applicant or its officers [illegible] indicating the [illegible] capacity of the applicant to provide expertise in the development [illegible] children's [illegible] to design and [illegible] television programming; and

(5) Information as to the [illegible] and development techniques to be [illegible] which have previously been [illegible] production standards to be [illegible] broadcast [illegible] to be utilized in support of the proposed television programming, and field [illegible] and other measures to be undertaken in order to insure [illegible]

(20 U.S.C. [illegible])

(d) *Application* [illegible] The Assistant Secretary [illegible] the [illegible] described [illegible] awards.

(20 U.S.C. [illegible])

§ 185.74 Criteria for assistance.

[illegible]

achieving the stated objectives; (2) the costs of project components are reasonable in relation to the expected benefits; and (3) needed resources will be purchased or otherwise obtained in such a manner as to insure that project deadlines will be met.

(20 U.S.C. 1610(b)(1))

[illegible] *Evaluation (5 points).* The extent to which the application sets out a detailed format, including specific study designs, for applying formative evaluation techniques prior to and during the initial phases of production of the proposed television programming, in order to determine the production and presentation techniques which offer the greatest promise of achieving the stated objectives.

(20 U.S.C. 1610(b)(1), 1610(b)(3)(C))

[illegible] *Funding criteria.*—In determining amounts to be awarded to applicants for assistance under this subpart, the Assistant Secretary shall consider the additional cost to such applicant (as such cost is defined in § 185.13(a)) of effectively developing and producing its proposed television programming, in relation to the amount of funds available for assistance under this subpart and the other applications for such assistance pending before him. The Assistant Secretary shall not be required to approve any application which does not meet the requirements of the Act or this part, or which sets forth proposed television programming of such insufficient promise for achieving the purposes of the Act that its approval is not warranted. In applying the criterion set out in this paragraph, the Assistant Secretary shall award funds to applicants (whose applications meet such requirements and are of sufficient promise to warrant approval) in the order of their ranking on the basis of the criteria set out in this section until the sums available for the purposes of this subpart have been exhausted.

(20 U.S.C. 1610(b)(1))

[illegible] In making the determinations required under this section, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education, educational television, and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1610(b)(1) and (3))

§ 185.75 Advisory committees.

(a) Public or nonprofit private agencies, institutions or organizations (other than local educational agencies) applying for assistance under this subpart shall comply with the requirements as to advisory committee participation set forth in § 185.65, except for the second sentence of § 185.65(b)(2). For purposes of this paragraph, references in said [illegible] project described [illegible] to refer to [illegible] of television programming for which assistance is sought.

(c) Local educational agencies applying for assistance under this subpart shall comply with the requirements as to advisory committee participation and [illegible] § 185.[illegible] [illegible] the purposes of [illegible] provided in § 185.11 [illegible]

(d) Where the primary area to be served by the proposed television programing for which assistance is sought under this subpart is larger than the school district of a single local educational agency, members of the advisory committee required by this section, and [illegible] of community organizations designated by such members, shall be selected so as to represent the larger area to be served.

(20 U.S.C. [illegible])

§ 185.76 Limitation on eligibility.

The limitations on eligibility set forth in § 185.43 shall apply to educational agencies applying for assistance under this part. The provisions of § 185.44 as to waiver of ineligibility shall apply to local educational agencies applying for assistance under this subpart. The provisions of § 185.45 as to termination of assistance shall apply to all recipients of assistance under this subpart.

(20 U.S.C. 1605(d), 1606(a) and [illegible])

§§ 185.77–185.80 [Reserved]

Subpart I—Evaluation

§ 185.81 Eligibility for award.

Any State educational agency, institution of higher education, or private agency, organization, or institution (including an [illegible] established by a local educational agency pursuant to §§ 185.7, 185.41, 185.56(a), § 185.57(b) and 185.94) may submit a proposal for a contract from funds reserved pursuant to § 185.12 [illegible] for the purpose of evaluating [illegible] part.

(20 U.S.C. [illegible])

§ 185.82 Authorized activities.

Funds [illegible]

§ 185.83 Applications.

(a) Application requirements. Proposals submitted pursuant to this subpart shall comply with the requirements of § 185.[illegible] and [illegible] shall [illegible] set forth [illegible]

(2) A [illegible] relation to the purposes set forth in § 19[illegible]

(3) A [illegible] description of the technical [illegible] management plan [illegible] design (including appropriate [illegible] and control [illegible] and techniques for data collection, analysis, and [illegible] to be [illegible] employed in the proposed evaluation.

(3) A statement of the name, position, [illegible] relevant experience of all persons [illegible] employed (or to be employed) in positions of responsibility by the offeror in connection with the proposed evaluation; and

(4) A statement of past activities engaged in by the offeror or its officers or employees indicating the relative capability of the offeror to conduct the proposed evaluation.

(20 U.S.C. 1612)

(b) Procedures. (1) Proposals under this subpart shall be submitted in response to requests for proposals. The Assistant Secretary may require the information described in this section to be submitted in a single document or [illegible] and may require additional information [illegible] selected offerors.

(2) Contracts under this subpart shall be subject to the requirements of the Federal Procurement Regulations (41 CFR ch. 1) to the extent that [illegible] not inconsistent with the provisions of this subpart.

(20 U.S.C. [illegible])

§ 185.84 Criteria for award.

(a) The Assistant Secretary shall determine the [illegible] proposals submitted under this subpart on the basis of the following criteria:

(1) [illegible] The [illegible] the proposed evaluation [illegible] described in [illegible] analysis [illegible]

(2) [illegible] The extent to which the proposal sets out a technical [illegible] to achieve the [illegible]

(3) [illegible] The extent to which the proposal sets out a plan for effective management of the proposed [illegible] timetable [illegible] and [illegible]

(4) *Data techniques.* The extent to which the proposal sets out effective techniques for collection, analysis and synthesis of data in connection with the proposed evaluation.

(5) *Staff capabilities.* The extent to which the proposal demonstrates (i) the presence or availability of staff members with relevant technical and management experience, and (ii) past experience on the part of the offeror or its officers or employees in conducting evaluations similar to that for which funds are requested.

(6) *Resource management.* The extent to which the proposal contains evidence that (i) the amount of funds requested is of sufficient magnitude to give substantial promise of achieving the stated objectives, (ii) the costs of project components are reasonable in relation to the expected benefits; and (iii) provisions have been made for maximum utilization of existing facilities and resources; and

(7) *Scope.* The extent to which the offeror proposes an evaluation of sufficient comprehensiveness to insure results of general applicability and reliability.

(8) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education, evaluation, and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1612)

(b) *Funding criteria.*—In determining amounts to be awarded under this subpart, the Assistant Secretary shall consider the additional cost to an offeror (as such cost is defined in § 185.13(a)) of effectively carrying out its proposed evaluation, in relation to the amount of funds available for contracts under this subpart and the other applications pending before him. The Assistant Secretary shall not be required to approve any proposal which does not meet the requirements of the Act or this part, or which sets forth a proposed evaluation of such insufficient promise for achieving the purposes of the Act that its approval is not warranted. In applying the criterion set out in this paragraph, the Assistant Secretary shall award funds to offerors (whose proposals meet such requirements and are of sufficient promise to warrant approval) in the order of their ranking on the basis of the criteria set out in this section with respect to each type of evaluation for which proposals are requested.

(20 U.S.C. 1612)

§ 185.85 Limitations on eligibility.

The limitations on eligibility set forth in § 185.43 shall apply to educational agencies submitting proposals under this subpart.

(20 U.S.C. 1605(d))

§§ 185.86–185.90 [Reserved]

Subpart J—Special Projects

§ 185.91 Eligibility for assistance.

(a) *Special reading projects.* (1) Any local educational agency which is [illegible] [illegible] § 185.11 [illegible] may apply for assistance by grant or contract from funds reserved pursuant to § 185.95(b)(1) for special reading projects to improve the [illegible] achievement of minority and [illegible] children in a school affected by [illegible] in which the proportion of minority group children enrolled is greater than 20 percent and no more than 50 percent.

(2) No more than $1,500,000 from funds reserved pursuant to § 185.95(b)(1) shall be awarded for grants or contracts pursuant to this paragraph during the fiscal year ending June 30, 1973.

(20 U.S.C. 1607(a)(1).)

(b) *Other projects.* The Assistant Secretary may assist, by grant or contract, any State or local educational agency or other public agency or organization, or a combination of such agencies and organizations, from funds reserved pursuant to § 185.95(b)(1) and not awarded or to be awarded pursuant to paragraph (a) of this section, for the purpose of conducting special programs or projects which the Assistant Secretary determines will make substantial progress toward achieving the purposes of the Act.

(20 U.S.C. 1607(a).)

(c) *Definitions.* For purposes of this subpart, State or local educational agencies in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be deemed to be State or local educational agencies within the meaning of §§ 185.02 (e) and (l).

(20 U.S.C. 1607(a), 1619 (8), (14), and (19).)

(d) *Authorized activities.* (1) Assistance made available pursuant to paragraph (a) of this section shall be used for activities described in § 185.12 which would not otherwise be funded and are designed to carry out the purposes described in § 185.01 and in paragraph (a) of this section.

(2) Assistance made available pursuant to paragraph (b) of this section shall be used for activities described in or authorized under §§ 185.12, 185.22, 185.32, [illegible], 185.62, and 185.72 which would not otherwise be funded and which are designed to carry out the purposes described in § 185.01.

(3) The provisions of §§ 185.12 (b) [illegible] shall apply to assistance [illegible] under this subpart.

(4) No activity [illegible] to [illegible] [illegible] [illegible] [illegible] from Students shall [illegible] [illegible] reading [illegible]

[illegible] or services.

(20 U.S.C. [illegible])

(e) *Limi*[illegible] [illegible]. The [illegible] set forth in § 185.13 [illegible] apply to [illegible] under this subpart. The [illegible] § 185.44 [illegible] of [illegible] to apply to local [illegible] agencies for assistance under [illegible] subpart. The provisions of [illegible] termination of assistance [illegible] under this subpart. The provisions of § 185.42 [illegible] participation of children [illegible] staff [illegible] or employed by [illegible] public [illegible] apply to local educational [illegible] applying for assistance under this subpart.

(20 U.S.C. [illegible] 1607(a), [illegible])

§ 185.92 Applications.

(a) Applications by local educational agencies for assistance under this subpart shall comply with the requirements of §§ 185.1[illegible] (a) through (f). Applications by other public agencies or organizations shall be in such form, and contain such information and assurances as may be required by the Assistant Secretary. All applications for assistance under this subpart, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and by the Assistant Secretary.

(20 U.S.C. [illegible] 1608(a).)

(b) In addition to the information and assurances required by paragraph (a) of this section, applications by local educational agencies pursuant to § 185.91(a) shall contain the following additional information:

(1) A description of the proposed program, project, or activity, and of such policies and procedures as will insure that the applicant will use funds received under the [illegible] only for the activities described in § 185.91(d).

(2) A complete [illegible] reading needs assessment with regard to the affected school, in a form to be prescribed by the Assistant Secretary.

(3) The signature of the principal of the school to be served by the proposed program, project, or activity, indicating concurrence in the submission of such agency's application.

(20 U.S.C. [illegible] (a).)

§ 185.93 Criteria for assistance.

(a) *Objective criteria.* In approving applications for assistance by local educational agencies pursuant to § 185.91(a), the Assistant Secretary shall apply the following objective criteria (20 points):

(1) The [illegible] need for such assistance, as indicated by the number and percentage of minority group children enrolled in [illegible] such agency for the fiscal year [illegible] for which [illegible] [illegible] 185.14(b)(2), in terms of the number and percentage of children affected, in all the schools operated by such agency accomplished or to be accomplished by the implementation of a plan or project described in § 185.11 (a) or (b) (10 points).

(20 U.S.C. 1606(c) (1), (2), and (3).)

(b) *Educational and programmatic criteria.* The Assistant Secretary shall determine the educational and programmatic merits of applications for assistance by local educational agencies pursuant to § 185.91(a) on the basis of the following criteria (105 points):

(1) *Needs assessment (20 points).* (i) The magnitude of needs assessed by the applicant in relation to reading achievement of students in the affected school, and (ii) the degree to which the applicant has demonstrated, by standardized achievement test data and other objective evidence, the existence of such needs. Such needs assessment shall be submitted in a form to be prescribed by the Assistant Secretary.

(2) *Statement of objectives (20 points).* (i) The degree to which the applicant sets out specific measurable objectives for its program, project, or activity, in relation to the needs identified; and (ii) the degree to which (*a*) the program, project, or activity to be assisted promises realistically to address the needs identified in the application, and (*b*) such program, project, or activity involves to the fullest extent practicable the total educational resources, both public and private, of the community to be served. At a minimum, the stated objectives shall include progress during the period of the proposed program, project, or activity toward the goal of a normal range and distribution of reading achievement in the affected school, such goal to be attained within a 3-year period.

(3) *Activities (40 points).*—(i) *Curriculum development (10 points).* The extent to which the application sets out specific procedures for the evaluation, development, and revision of the curriculum in the affected school in relation to the needs identified;

(ii) *Staffing (20 points).* The extent to which the application (*a*) sets out an adequate staffing plan which includes provisions for making maximum use of present staff capabilities, (*b*) provides for continuing training of staff in order to increase the effectiveness of the proposed program, project, or activity; and (*c*) includes evidence that the project staff reflects the racial and ethnic makeup of the student body at the affected school; and

(iii) *Parent and community involvement (10 points).* The extent to which the application (*a*) delineates specific opportunities for community and parental participation in the development and implementation of the proposed program, project, or activity in addition to those required by § 185.94 and (*b*) in[illegible] [illegible] in fact

(4) *Economic efficiency* (of 5 points). The extent to which the application contains evidence that (i) the amount of funds requested is of sufficient magnitude in relation to the number of participants to be served to give reasonable assurance of achieving the stated objectives, (ii) the cost of project components bear a reasonable relationship to the expected benefits, (iii) all possible efforts have been made to minimize the amount of funds requested for purchase of equipment necessary for implementation of the proposed program, project, or activity, and (iv) the proposed program, project, or activity has been coordinated with existing programs and resources.

(5) *Evaluation* (20 points). The extent to which the application sets out a format for objective, quantifiable measurement of the success of the proposed program, project, or activity in achieving the stated objectives, including (i) a timetable for compilation of data for evaluation and a method of reviewing the program, project, or activity in the light of such data, (ii) a description of instruments to be used for evaluation of the proposed program, project, or activity (and of the method for validating such instruments where necessary), or a description of the procedure to be employed in selecting such instruments; and (iii) provisions for comparison of evaluation results with norms, control group performance, results of other programs, or other external standards.

(6) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education and human relations from the Department, or other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1601(b), 1609(a)(1), 1609(c)(1), (2), (4), and (6))

(c) *Funding criteria*. In determining amounts to be awarded to applicants for assistance pursuant to § 185.91(a), the Assistant Secretary shall consider the additional cost to such applicant (as such cost is defined in § 185.13(a)) of effectively carrying out its proposed program, project, or activity, in relation to the amount of funds available for assistance pursuant to § 185.91(a) and the other applications for such assistance pending before him. The Assistant Secretary shall not be required to approve any application which does not meet the requirements of the Act or this part, or which sets forth a program, project, or activity of such insufficient promise for achieving the purposes of the Act that its approval is not warranted. In applying the criterion set out in this paragraph, the Assistant Secretary shall award grants to applicants whose applications meet such requirements and are of sufficient promise to warrant approval, in the order of their ranking on the basis of the criteria set out in this section until the sums allotted for such section have been exhausted. No more than [illegible] per centum of the funds made available pursuant to § 185.91(a) shall be awarded to applicants in any one State in any fiscal year unless the Assistant Secretary determines that applications for such awards in excess of such amount are of exceptional merit or promise.

(20 U.S.C. 1609(c)(1)(C), 1609(c)(5))

(d) *Other applications*. The merits of applications for assistance pursuant to § 185.91(b) shall be determined on the basis of the criteria set forth in § 185.14, to the extent that such criteria are applicable to the proposed program, project, or activity.

(20 U.S.C. 1607(a), 1609(c))

§ 185.[illegible] Community involvement.

(a) *Unit task force*. Applications by local educational agencies for assistance pursuant to § 185.91(a) shall be developed by a unit task force headed by the principal of the school to be served by the proposed program, project, or activity and formed in accordance with paragraph (b) of this section.

(20 U.S.C. 1609(a)(2)(B), 1609(b))

(b) *Composition*. (1) In order to establish a unit task force as required by this section, a local educational agency shall designate two civic or community organizations broadly representative of the minority and nonminority communities to be served, each of which shall select a resident of the attendance area of the school to be served as a member of the unit task force.

(2) Such agency, after consultation with the appropriate teachers' organization(s), shall either (i) designate two teachers from the school to be served who will participate in the proposed program, project, or activity to serve as members of the unit task force, or (ii) delegate the responsibility for such selections to the appropriate teachers' organization(s).

(3) Such agency shall designate one member of its administrative staff, at the assistant superintendent level or higher, to serve as a member of the unit task force.

(4) Where the proposed program, project, or activity will affect a secondary school, the unit task force required by this section shall include at least two secondary students regularly enrolled at such school who have been selected by the student body or student government of such school.

(5) The local educational agency shall select the minimum number of additional members of such unit task force necessary to insure that (i) it will be composed of equal numbers of nonminority group members and of members from each minority group substantially represented in the school to be served, and (ii) at least half the members of such unit task force will be parents of students to be served by the proposed program, project, or activity.

(20 U.S.C. 1609(a)(2)(B))

(c) *Consultation; public hearing; publication*. Local educational agencies applying for assistance pursuant to § 185.91(a) shall comply with the requirements as to public hearings, publications, and post-award consultation set forth in §§ 185.41 (a), (b), (e), and (f). For purposes of this paragraph, references in such paragraphs to a "district-wide advisory committee" shall be understood to refer to the unit task force required by this section.

(20 U.S.C. 1609(a) (2) and (3))

(d) *Comments and suggestions by unit task force*. No amendment to the program, project, or activity of a local educational agency shall be approved, and no additional funds made available pursuant to § 185.91(a), unless the unit task force required by this section has been involved in the development of, and a majority of its members has approved, such amendment of or addition to the program, project, or activity. Comments indicating such approval shall be included with any application submitted by such agency for such amendments or additions. Amendments or additions suggested by the unit task force shall be forwarded by the local educational agency, with or without comment by such agency, to the Assistant Secretary for his consideration.

(20 U.S.C. 1609(a)(3))

(e) *Other applicants*. Applicants for assistance pursuant to § 185.91(b) shall comply with the requirements of § 185.41, to the extent that such requirements are applicable to the proposed program, project, or activity.

(20 U.S.C. 1609(a) (2) and (3), 1609(b))

[FR Doc.73-7995 Filed 4-23-73;8:45 am]

Appendix C

Manuals for Use by Applicants and Grantees

COMPREHENSIVE MANUAL

for

LOCAL EDUCATIONAL AGENCIES

EMERGENCY SCHOOL AID ACT

(P.L. 92-318 Title VII)

Department of Health, Education and Welfare
Office of Education

January 1973

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PART ONE

OVERVIEW

I. Purpose

Congress has made financial assistance available through the Emergency School Aid Act for three broad purposes, all relating to the problems created by minority group isolation in our nation's schools:

A. To meet the special needs incident to the elimination of minority group segregation and discrimination among students and faculty in elementary and secondary schools

B. To encourage the voluntary elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority group students

C. To aid school children in overcoming the educational disadvantages of minority group isolation

Eighty-two percent of the total ESAA funds will be apportioned among the States. Each State will have available $75,000 plus an amount based on the relative number of minority group children aged 5-17 in that State when compared with the total number of such children in all other States. No less than $100,000 will be available in any State. The remaining 18 percent of ESAA funds will be used for a variety of smaller programs in which competition will be conducted on a national basis.

II. Types of Assistance

Assistance will be made available for several different categories of projects. Applications under each category will be considered on a competitive basis. That is, applicants will be rated according to certain announced criteria, and funds will be awarded to those applicants receiving the highest ratings. The kinds of projects for which funds are available are described below:

A. Basic LEA Grants

Grants may be awarded to local educational agencies (LEAs) which are implementing a desegregation plan, a plan for the elimination, reduction, or prevention of minority group isolation, or an inter-district transfer plan. The characteristics of each type of eligible plan are outlined in Part Two. Activities supported by a Basic LEA Grant must directly address needs related to the implementation of such a plan and must conform to the purposes of ESAA described above. Project activities must be limited to those listed in Part Two. In identifying the needs to be addressed, particular attention should be given to needs resulting from minority group isolation, especially needs for basic instructional services.

Integrated Schools Projects constitute a sub-category under Basic LEA Grants. They will draw from the same pool of funds as Basic Grants and will utilize the same list of authorized activities. Grants for Integrated Schools Projects may be awarded to LEAs for activities supporting the establishment of one or more "integrated schools" as defined in §185.11(d) of Regulations. Such grants will be awarded only to LEAs in which minority group students constitute more than 50 percent of the total enrollment, and which have applied for or received at least an equal amount of funds for a Pilot Project (see next section).

Fifty-nine percent of the funds available under ESAA will be reserved for Basic LEA Grants, including grants for Integrated Schools Projects. These funds along with those reserved for Pilot Projects and Nonprofit Group Projects will be apportioned among the States, as described in Section I of this Part.

B. Pilot Projects

Fifteen percent of the funds available under ESAA may be used for grants to unusually promising projects which have been designed to overcome the adverse effects of minority group isolation by improving the academic achievement of children in minority group isolated schools, that is, in schools with a minority group enrollment which is in excess of 50 percent. In order to be eligible for a Pilot Projects grant, an LEA must be implementing a plan which would make it eligible for a Basic Grant, and its total student enrollment must include either a very high number or a high percentage of minority group students.

C. Nonprofit Groups Projects

Grants may be awarded to public or nonprofit private agencies, institutes, and organizations to carry out projects designed to support the development or implementation of an eligible LEA plan. Local educational agencies are not eligible to apply for grants under this program. Nonpublic elementary and secondary schools which are nonprofit and nonsectarian will be considered to be nonprofit groups for the purposes of administering up to one-half of the funds reserved.

Eight percent of the funds available under ESAA will be reserved for grants to nonprofit groups. As in the case of funds for Basic LEA Grants and Pilot Projects, funds for nonprofit groups will be apportioned among the States.

Persons desiring additional information regarding the Nonprofit Groups program should contact the nearest H.E.W. Regional Office of Education and request a copy of the ESAA Comprehensive Manual for Nonprofit Groups.

D. Bilingual/Bicultural Projects

Grants may also be awarded to LEAs for the purpose of developing or implementing bilingual/bicultural curricula which aid in the development of reading, writing, and speaking skills and enhance intercultural or inter-ethnic understanding. Such projects are intended to benefit minority group students who are from environments in which the dominant language is not English and also to benefit their English-dominant classmates. Through activities conducted under this program, students will receive instruction in language and communications skills and in each other's history and culture. If specifically requested to do so by an LEA, a nonprofit agency, institute, or organization may be awarded direct assistance to develop bilingual/bicultural curricula.

Four percent of the funds available under ESAA will be reserved for Bilingual/Bicultural Project grants. Since these funds will not be apportioned among the States, all applicants for Bilingual/Bicultural Projects will compete for and draw from the same pool of funds.

E. Metropolitan Area Projects

Five percent of the funds available for ESAA will be reserved for Metropolitan Area Projects with the following three types of grants being awarded:

1. Grants to assist LEAs located in Standard Metropolitan Statistical Areas (SMSAs) in transferring minority students from another LEA in the same SMSA into their own for the purpose of establishing and maintaining integrated schools as defined in §185.31(a)(2) of the Regulations

2. Grants to groups of LEAs located in an SMSA for the joint development of plans to reduce and eliminate minority group isolation, to the maximum extent possible, in the public elementary and secondary schools of the SMSA

3. Grants to LEAs to pay all or part of the cost of planning and constructing integrated education parks

During the first year of ESAA, grants for education parks will be for planning only.

Funds for Metropolitan Area Projects will not be apportioned among the States but will be administered on a national basis. For further information contact Chief, [illegible] Projects Branch, Bureau of Equal Educational Opportunity, U.S. Office of Education, 400 Maryland Avenue, SW., Washington, D.C. 20202.

F. Educational Television Projects

Four percent of the ESAA funds have been reserved for grants to be awarded for the development and production of integrated children's television programs of sound educational value. These grants will be awarded to no more than four public or nonprofit private agencies, institutions, or organizations prior to June 30, 1973. Programs developed from such grants must be made reasonably available for free transmission under noncommercial sponsorship.

Interested agencies should contact the National Center for Educational Technology, Code 525, U.S. Office of Education, 300 - 7th Street, SW., Washington, D.C. 20202.

G. Special Projects

Four percent of the funds available under ESAA may be used for grants to and contracts with State and local educational agencies and other public agencies and organizations for the purpose of conducting special programs and projects, including activities otherwise authorized by ESAA which will achieve the purposes of the Act.

H. Evaluation of Programs

One percent of the funds available under ESAA will be used to award grants or contracts for the evaluation of specific programs and projects funded under ESAA.

III. Use of This Manual

This manual is intended primarily to provide information and guidance to local educational agencies interested in applying for grants to conduct Basic LEA Projects, Pilot Projects, and Bilingual/Bicultural Projects.

IV. Other Materials Available

In addition to this manual there are six documents that a potential applicant may need in developing an application for a Basic LEA Grant, Pilot Project, or Bilingual/Bicultural Project.

A. The Regulations contain the official procedures which govern the administration of ESAA. Any question involving legal or technical requirements should be resolved by referring to the Regulations. Note: The Regulations cited in the Manual are the proposed regulations which will be subject to modification up until publication of final ESAA regulations.

B. The Criteria for Basic LEA Grants and Pilot Projects presents the standards and scales which will be used to evaluate and rate all applications for ESAA funding in these two categories. The first four scales pertain to the objective criteria, specifically, the enrollment and isolation of minority group students. The fifth scale, the Quality Criteria, sets the programmatic standards for all Basic and Pilot proposals.

C. The Criteria for Bilingual/Bicultural Projects presents the standards and scales which will be used in evaluating all such proposals.

D. The Application for Assistance under the Emergency School Aid Act, Local Educational Agencies, plus the required attachments constitute a proposal for an ESAA project. This form is to be used for Basic LEA Grants, Pilot Projects, and Bilingual/Bicultural Projects.

E. The Instructions for Submitting Project Proposals under the Emergency School Aid Act explain the requirements of the Application and outline the required format for all necessary attachments.

F. The Problem Identification Guide for Local Educational Agencies is designed to assist the LEA in identifying, assessing, and documenting local needs which might be addressed by an ESAA project. The applicant is urged but not required to use this document.

An applicant should read these documents carefully and refer to them often in the course of developing an ESAA project proposal. They may be obtained from the nearest H.E.W. Regional Office of Education.

PART TWO

GENERAL INFORMATION

I. Eligibility

A. Basic LEA Grants

The requirements which must be met in order for a local educational agency to qualify for a Basic Grant are specified in §185.11 of the Regulations and summarized here. The LEA must fulfill one of the two requirements described below.

1. An LEA must be implementing a plan for the desegregation of minority group segregated children and/or faculty. The plan must be one which has been undertaken pursuant to a court order or order issued by an administrative agency, or the plan must have been approved as adequate under Title VI of the Civil Rights Act of 1964.

2. If the above requirement is not met, the LEA must be implementing, or must have agreed to implement if assistance is made available, any one of the following types of nonrequired plans:

   a. A plan for the complete elimination of minority group isolation in all of its minority group isolated schools

   b. A plan to eliminate or reduce minority group isolation in one or more of its minority group isolated schools

   c. If minority group isolation is reasonably likely to occur in the LEA, a plan to prevent isolation in any school in which minority group students constitute between 20 percent and 50 percent of the total enrollment

   d. A plan to enroll and educate children (who would not otherwise be eligible for enrollment because of nonresidence in the school district) in sufficient numbers to make a significant contribution towards the reduction of minority group isolation in one or more of the districts to which the plan applies

An application for an ESAA grant must include a copy of the plan which the LEA is implementing. A nonrequired plan must be accompanied by a copy of a school board resolution or other evidence of final official action authorizing its adoption and implementation. Potential ESAA applicants should also note that, if the implementation of a nonrequired plan is dependent upon the receipt of assistance under ESAA, the details of that plan must be published in a newspaper of general circulation no later than 20 days prior to submission of the ESAA application. Evidence of compliance with this requirement must be submitted with the application.

The eligibility of any plan submitted as part of an application for ESAA funds will be determined by the H.E.W. Office for Civil Rights after receipt of the application in the appropriate Regional Office.

§185.11(d) of the Regulations specifies the additional requirements associated with an Integrated Schools Project. An LEA may receive a grant for this type of project only if it has applied for and will receive an ESAA Pilot Project grant. The total award for the Integrated Schools Project may not exceed the total amount awarded to the LEA for its Pilot Project. Activities carried out under an Integrated Schools Project must be restricted to schools having the characteristics specified in §185.11(d)(2).

B. Pilot Projects

The eligibility requirements pertaining to ESAA Pilot Projects are covered in detail in §185.21 of the Regulations. In order to be eligible for consideration for a Pilot Project grant, an LEA must satisfy the eligibility requirements for a Basic Grant (i.e., the LEA must be implementing an acceptable plan) and must meet one of the following two additional requirements:

1. At least 15,000 minority group students must be enrolled in the schools of the LEA, or
2. Minority group students must constitute more than 50 percent of the total enrollment of the LEA.

An LEA need not apply for a Basic Grant in order to be eligible for a Pilot Project grant.

Activities carried out under a Pilot Project grant must be restricted to specific schools in which minority group students constitute more than 50 percent of the enrollment. Compliance with this requirement will be checked during the processing of Pilot Project applications. In order to avoid having an application returned, therefore, applicants should double check the racial enrollment figures of each school proposed for participation in their projects.

C. Bilingual/Bicultural Projects

Eligibility requirements pertaining to such projects are listed in §185.51 of the Regulations. An LEA wishing to apply for an ESAA grant to support a Bilingual/Bicultural Project must meet the basic eligibility requirements of the Act and must show that minority group children do not have equal educational opportunity because of language and cultural differences. There are no other eligibility requirements related to the enrollment characteristics of the applicant LEA or the schools in which proposed activities would take place. An LEA need not apply for a Basic Grant in order to be eligible for a Bilingual/Bicultural Project grant. Any activities assisted through such a grant, however, must be specifically designed to complement any programs or projects carried out under a Basic Grant, if one has been applied for or awarded.

A private nonprofit agency, institution, or organization is eligible to receive directly a Bilingual/Bicultural Project grant only for development of bilingual curriculum and only if the proposed project has been developed at the request of one or more LEAs. The LEA(s), however, must be implementing an eligible plan before it can request curriculum development services. Plans for implementation of the requested curricula must accompany any application for curriculum development (nonprofit group or LEA).

D. Limitations on Eligibility and Waiver Procedures

A local educational agency which has presented a plan which meets the requirements of §185.11 of the Regulations may nevertheless be declared ineligible to receive assistance under ESAA if, after June 23, 1972, it has violated any of the eligibility limitations specified by the Act. These prohibited actions are listed in detail in §185.43 of the Regulations. Examples are as follows:

1. The transfer of equipment or the provision of services to a nonpublic school or school system practicing racial discrimination or operating on a racially segregated basis
2. Practices, policies, or procedures resulting in disproportionate dismissals or demotions of minority group instructional staff or other supportive personnel
3. The assignment of children to classes in a manner which results in the separation of minority group children from nonminority group children for more than 25 percent of the school day, unless such separation results from bona fide ability grouping as defined in section 185.43(c) of the Regulations
4. Any other practices, policies, or procedures which discriminate among children on the basis of race, color, or national origin

Ineligibility resulting from any of the practices specifically prohibited by §185.43 of the Regulations may be waived only by the Secretary of Health, Education, and Welfare and only after the completion of a formal waiver procedure initiated by the applicant LEA. An application for waiver of ineligibility must include a description [illegible] by the LEA to correct the practice which led to ineligibility and to insure that it will not reoccur. Details regarding waiver procedures are given in §185.44 of the Regulations.

Local educational agencies which may be ineligible because of the prohibitions described in §185.43 are reminded that failure to disclose disqualifying practices or procedures and to obtain the required waiver of ineligibility, or failure to comply with the terms of a waiver if one is obtained, may result in the termination of any grant received under ESAA and the subsequent repayment of all ESAA funds.

Applicants in doubt as to the allowability of specific practices should contact the Office for Civil Rights in the appropriate H.E.W. Regional Office.

II. Authorized Activities

A. Activities proposed as part of applications for Basic Grants, Pilot Projects, and Bilingual/Bicultural Projects must fall within one or more of the categories listed in §§185.12, 185.22, and 185.52, respectively. These are summarized below:

1. Special remedial services
2. Provision of additional professional staff and nonprofessional staff members
3. Recruiting, hiring, and training of teacher aides
4. Inservice teacher training
5. Comprehensive guidance, counseling, and other personal services for children
6. Development and use of new curricula and instructional methods
7. Educational programs using shared facilities for career education and other specialized activities
8. Innovative interracial programs
9. Community activities, including public information efforts
10. Administrative and auxiliary services (in conjunction with a comprehensive ESAA project)
11. Planning and evaluation (when associated with ESAA activities)
12. Repair or minor remodeling of facilities (the cost of which does not exceed 10 percent of the total ESAA grant award)

B. The activities listed above and in the previously cited sections of the Regulations are authorized only insofar as they are consistent with the purposes of the Emergency School Aid Act and the requirements for the specific categories of assistance. Proposed activities will be evaluated in the context of the programs for which assistance is sought. Therefore, the fact that a specific type of activity is authorized by the Regulations should not be taken to mean that it will be viewed as consistent with the purposes of the Act in all possible situations.

III. Advisory Committee and Public Hearing Requirements

A. District-Wide Advisory Committee

Every local educational agency applying for an ESAA Basic Grant or Pilot Project must develop its project proposal in consultation with a district-wide advisory committee set up according to the specifications of §185.41 of the Regulations. Briefly, in selecting members of the committee the LEA must fulfill the following requirements:

1. The LEA must ask at least five civic or community organizations to designate one representative each. The organizations should be selected so that, when taken together, they are broadly representative of the minority and nonminority communities to be served by the project.
2. The LEA must select one nonminority group classroom teacher and one classroom teacher from each minority group substantially represented on the faculty.
3. The LEA must select enough additional members so that, taking into account the eventual addition of one nonminority group student and one student from each minority group substantially represented in the community, the final committee membership will contain:
    a. Equal numbers of nonminority group members and members from each minority group substantially represented in the community, as well as
    b. At least 50 percent of the members who are parents of children directly affected by the LEA's plan for desegregation or for the elimination, reduction, or prevention of minority group isolation.
4. The individuals appointed in this manner must then select for membership on the committee one nonminority group

secondary school student and one such student from each minority group substantially represented in the community. (The final Regulations may also include a provision which gives the Student Advisory Committees the opportunity to name additional student members to the district-wide advisory committee.)

An existing advisory committee formed pursuant to a court-ordered desegregation plan may serve as the ESAA advisory committee only if its composition conforms to the requirements stated above.

An LEA applying for ESAA funds is required to consult with the district-wide advisory committee in assessing the needs to be addressed by its ESAA application. In particular the LEA is required to do the following:

1. It must furnish each advisory committee member with a copy of the Emergency School Aid Act and a copy of the Regulations.

2. It must allow the committee not less than 10 days to review and comment upon the ESAA application. (These comments must be submitted along with the application.)

3. It must finish making appointments to the committee at least five days prior to asking the members to review and comment on the ESAA application.

An LEA applying for both a Basic Grant and a Pilot Project need establish only one district-wide advisory committee. The membership of that committee must, however, be broadly representative of the minority and nonminority communities to be served by both of the proposed projects. The committee must be involved in the development of each proposal and must review and comment upon each individually.

It is emphasized that the district-wide advisory committee is intended to play an important and continuing role both during development of the proposal and throughout the life of the project. The advisory committee's role after the notification of an ESAA grant award is summarized in Part Five of this manual.

B. Public Hearings

No less than seven days prior to the submission of an application for an ESAA Basic Grant or Pilot Project, the applicant LEA must publicly describe and discuss its proposal(s) by holding at least one open, public hearing with parents, teachers, and (whenever the proposed project will affect secondary schools) secondary school students.

The specific requirements related to public hearings are outlined in §185.41(b) of the *Regulations*. It is important to recognize that the requirements associated with public hearings are different from those related to the formation and functioning of the district-wide advisory committee. The LEA is responsible for all such requirements.

C. Student Advisory Committee

Every LEA which receives assistance under ESAA must, within 15 days of the approval of its application, establish student advisory committees at each secondary school affected by ESAA project activities. The requirements associated with student advisory committees are outlined in Part Five of this manual and are described fully in §185.41(h) of the *Regulations*.

D. Bilingual/Bicultural Project Advisory Committee

The requirements relating to the establishment and functioning of an advisory committee for an ESAA Bilingual/Bicultural Project are slightly different from those for advisory committees associated with other types of ESAA projects. Complete and specific requirements are presented in §185.55 of the *Regulations*.

IV. Participation of Nonpublic Schools

Local educational agencies applying for ESAA Basic Grants, Pilot Project grants, and Bilingual/Bicultural Project grants must meet the requirements of §185.42 of the *Regulations* with regard to the participation of children enrolled in nonpublic schools. Briefly summarized, ESAA applicants are required to provide for the participation, on an equitable basis, of minority group students, faculty, and staff who attend or are employed by nonpublic elementary and secondary schools which are nondiscriminatory and nonprofit in nature. Such schools must be located within the general area to be served by the proposed ESAA project. In addition, it must be clear that the participation of such persons would assist in achieving the purposes of the Act that is, the nonpublic school involved must be desegregated or undergoing desegregation, or it must have students in need of bilingual/bicultural instruction.

In practical terms this requirement means that the LEA must consult with appropriate nonpublic school officials at a relatively early stage in the proposal development process in order to determine the approximate number and needs of students in the nonpublic schools which are eligible to participate in the project. Such students must then be allowed to participate in project activities in the same manner as if they were attending the schools of the LEA itself. The same policy is to be applied to teachers and other personnel employed in the participating nonpublic schools.

The Act places certain restrictions on the manner in which services supported by an ESAA grant may be made available to children attending nonpublic schools. For instance, nonportable equipment for use on the premises of a nonpublic school may not be purchased out of ESAA funds, nor may ESAA funds be used for the construction, repair or remodeling of nonpublic school facilities. Additional information regarding such restrictions is given in §185.42(h) of of the Regulations.

Applicants for ESAA grants should realize that failure to provide for the participation of children enrolled in nonpublic schools and of faculty and staff members employed by such schools may result in applications being returned for revision and resubmission or in other consequences, as described in §185.42(j) and (k).

V. Criteria for Selection

The criteria which will be used to evaluate ESAA applications for Basic Grants, Pilot Projects, and Bilingual/Bicultural Projects are outlined, respectively, in §§185.14, 185.24, and 185.54 of the Regulations. The Criteria for Basic LEA Grants and Pilot Projects and the Criteria for Bilingual/Bicultural Projects are the documents which will be used by the review panels to evaluate applications for grant awards. The criteria are presented in greater detail in these documents than in the Regulations.

In the review process every proposal for a Basic Grant, Pilot Project, or Bilingual/Bicultural Project will first be assigned points based on the following objective criteria:

1. The need for assistance, as indicated by the number and percentage of minority group children (or in the case of Bilingual/Bicultural Projects, children whose dominant language is not English) who are enrolled in the schools of the applicant LEA
2. The effective net reduction in minority group isolation, in terms of the number and percentage of children affected, which has been accomplished or will be accomplished by the LEA's plan

Applications will then be assigned additional points based on the educational and programmatic quality of the proposed educational program. These points will be distributed according to the following criteria:

1. The magnitude of the needs which the project proposes to address, their relationship to the purposes of ESAA, and the effectiveness with which they have been documented
2. The quality of objectives, judged according to their relationship to theneeds identified and their relative probability of being achieved

3. The overall quality of the proposed activities in terms of project design, parent/community involvement, and other factors

4. The extent to which the application reflects prudent resource management as demonstrated by a realistic and detailed budget request and by satisfactory coordination with other programs conducted by the LEA

5. The quality and specificity of the evaluation design which the LEA will use to judge progress towards stated project objectives

6. In addition to the five categories of criteria listed above, applications for ESAA Pilot Projects will also be assigned points according to the degree of replicability reflected in the project design.

PART THREE

SUGGESTED STEPS IN DEVELOPING A PROJECT PROPOSAL

In order to receive a high rating for educational quality, a proposal must reflect a careful planning process. This requires substantive involvement by students, parents, nonpublic school officials, and the community in general.

The documents described in Part One, Section IV, ~~of~~ this manual should be obtained and thoroughly reviewed before the proposal development process is initiated. In order to carry out the process in a careful and timely manner, it is suggested that the applicant follow the general outline described in this Part.

I. Establish Probable Eligibility

As previously explained (Part Two, Section I), the basis for ESAA eligibility is the plan which the LEA is implementing or intends to implement. Ten copies of the plan must be submitted with the ESAA application form.

II. Form A District-Wide Advisory Committee

The committee must conform to the requirements of §185.41 of the Regulations and should be closely involved in the identification of needs and in the development of the proposal. (See Part Two, Section III of this manual.)

III. Contact Nonpublic School Officials

The earlier this contact is made, the sooner the LEA will be able to determine the extent of potential participation in project activities by children enrolled in nonpublic schools. (See Part Two, Section IV.)

IV. Complete Needs Assessment

By deciding to explore the possibility of ESAA funding, the LEA has already indicated that desegregation-related needs may be present in the community. Before developing a proposal, however, the LEA must determine the specific needs on which the project activities will be focused. School districts are urged to determine if needs exist in the area of basic instruction. Where such needs exist, they should be given high priority in development of the proposed program.

The Problem Identification Guide is designed to assist the LEA in this process. It should also help the LEA in gathering the data which will be used in substantiating its needs on the Application. The Guide is offered as a self-help tool to be used as the applicant wishes. If used, the Guide should not be submitted with the Application. It should be understood also that the problem areas listed in the Guide are suggestions only. The LEA is urged to add items to the list which describe local problems more closely.

Because the adequacy of the LEA's needs assessment will be one of the criteria used to rate the overall proposal, evidence indicating the existence and the significance of each need must be submitted as part of the information given in response to Section III, Item 7, of the Application.

V. Formulate Objectives

In order for the proposed program to relieve the district's most serious desegregation-related problems, the program objectives must be developed directly from the needs assessment. In cases where several different program objectives have been suggested in relation to a specific problem, the applicant should limit his proposal to those objectives most closely related to the needs which have been identified and most clearly within its capacity to achieve. The review panel will evaluate proposed objectives according to how specific and measurable they are and according to how realistic they are in terms of the LEA's present capacities. (See Section II of the Quality Criteria.) They will be presented in Section III, Item 7, of the Application.

In designing the objectives it should be understood that they will later provide the basis for the grantee's final evaluation of the program. For this reason, the objectives must have the specificity detailed in the Quality Criteria. These characteristics will later help the district to measure more precisely the extent to which each objective is achieved by the project activities.

VI. Design Activities

Proposed activities will be rated according to a variety of criteria, which are described in Section III of the Quality Criteria. Applicants should take special care to see that information responsive to the criteria is presented in describing the project activities. Such information should be presented in Section III, Item 7, of the Application. The types of activities which may be supported through ESAA basic grants and pilot projects grants to an LEA are specified in §§185.12, 185.22, and 185.52 of the Regulations. Activities which do not fall into one or more of these categories will not be funded. In addition, all activities for which funds are requested must be consistent with the purposes of the Act.

VII. Develop Evaluation Design

The ESAA proposal must specify the types of information which will be collected by the LEA for the purpose of evaluating the effectiveness of project activities. This will include examples of the data collection and evaluation instruments or the procedures for selecting such instruments. The approximate dates of any major data collection activities should be included in the timetable of major events.

The quality of the evaluation design will be a criterion used to rate the educational and programmatic quality of the proposal. (See Section IV of the Quality Criteria.) The applicant's evaluation design must be presented in Section III, Item 7, of the Application.

VIII. Establish a Timetable

Working from a thorough understanding of the activities to be undertaken, the applicant LEA must establish a timetable showing the major stages in project implementation. This timetable is simply a listing of prominent milestones by which the relative progress of the project can be tracked. For instance, one such major event which should occur relatively soon after notification of funding might be "completion of recruitment and hiring of all project staff." This schedule is to be shown in Section III, Item 8, of the Application.

IX. Develop a Budget

The design of a detailed plan of project activities should serve as the foundation for the development of the budget request. The format of the request must be consistent with the cost and activity categories given in Section IV of the Application. In addition, a detailed breakdown within these categories must also be presented, according to the format outlined in Section IV of the Instructions.

Every item constituting part of the project budget request must be directly and demonstrably related to the activities described in Section III, Item 7, of the Application. Applicants are reminded that ESAA funds may not be used to supplant State or local funds which are otherwise available to the LEA and that only the additional cost of implementing ESAA project activities may be supported through ESAA funds. (§185.13(a) of the Regulations defines "additional cost" and should be thoroughly understood before the project budget request is prepared.)

It should be noted that the nature of the project budget request and the degree to which individual items are fully justified will directly affect the proposal's rating for educational and programmatic merit. (See Section IV of the Quality Criteria.) Furthermore, applications which include budget requests inconsistent with the purposes of ESAA or which are severely lacking in required specificity may be returned to the applicant for resubmission without a formal numerical rating process having been carried out.

X. Notify the State Education Agency

After Step IX has been completed, the proposal should be sufficiently complete that it can be distributed for review by interested persons. In particular, the State education agency (SEA), which will be given an opportunity to review and comment on the Application after it has been submitted to U.S.O.E., should be notified of the district's intent to submit a proposal. In addition, the SEA should be given the opportunity to make suggestions concerning the proposal if it desires.

XI. Publish Notice of Public Hearing and Details Regarding District-Wide Advisory Committee

Notice of the public hearing on the ESAA proposal (required by §185.41(b) of the Regulations) must be published in a newspaper of general circulation at least 5 days before the date of such a hearing. A statement as to the purpose of the ESAA district-wide advisory committee and the names of committee members must also be published no later than 5 days before the public hearing (§185.41(f) of the Regulations). An applicant local educational agency may find it convenient to satisfy both of these requirements with a single newspaper article. Copies of the article(s) must be submitted with the Application.

XII. Solicit Comments from the District-Wide Advisory Committee

As noted previously, the advisory committee must be given at least 10 days to review and comment upon the ESAA proposal. The comments of the committee must accompany the Application submitted to U.S.O.E.

XIII. Hold Public Hearings

At least one open public hearing on the ESAA proposal must be held no less than 7 days before submission of the proposal. At that hearing, parents, teachers, and, where appropriate, secondary school students must be given a full opportunity to understand the project proposal and offer recommendations concerning it (§185.41(b) of the Regulations). The public hearing(s) should include members of the district-wide advisory committee but should not be limited to those persons. Minutes of the hearing(s) should be submitted with the Application. At a minimum these minutes should include the date, the hour, the place of each meeting, the number of persons in attendance, and a general description of the remarks and comments offered.

XIV. Revise Proposal (If Necessary)

The requirement to solicit comments from the SEA, the district-wide advisory committee, and the persons attending at least one open public hearing clearly implies that such comments may form the basis for revisions to the ESAA project proposal. The proposal should not be put into final form until all required comments have been solicited and considered by the LEA.

XV. Complete Application Form

Completion of the official ESAA Application will be one of the final steps in the proposal development process. It may, however, be possible to complete and assemble [illegible] of the information required as attachments to the Application considerably earlier in the development process.

XVI. Check Application for Completeness and Submit to the Appropriate U.S. Office of Education Regional Office

Ten copies of the completed Application and attachments must be submitted. At least one copy should be retained for the LEA's use and files. The following may be helpful in making sure that the proposal is complete:

Signatures

- Superintendent or authorized official (Section I, Item 14)
- Public financial official or duly licensed accountant (Section V)
- Authorized official (Section VI)

Attachments

- Copy of plan for which assistance is being sought (Instructions, page 1, Section I)

  a. Order of a Federal or State Court or other State agency, or

  b. Desegregation plan approved by the Office for Civil Rights, or

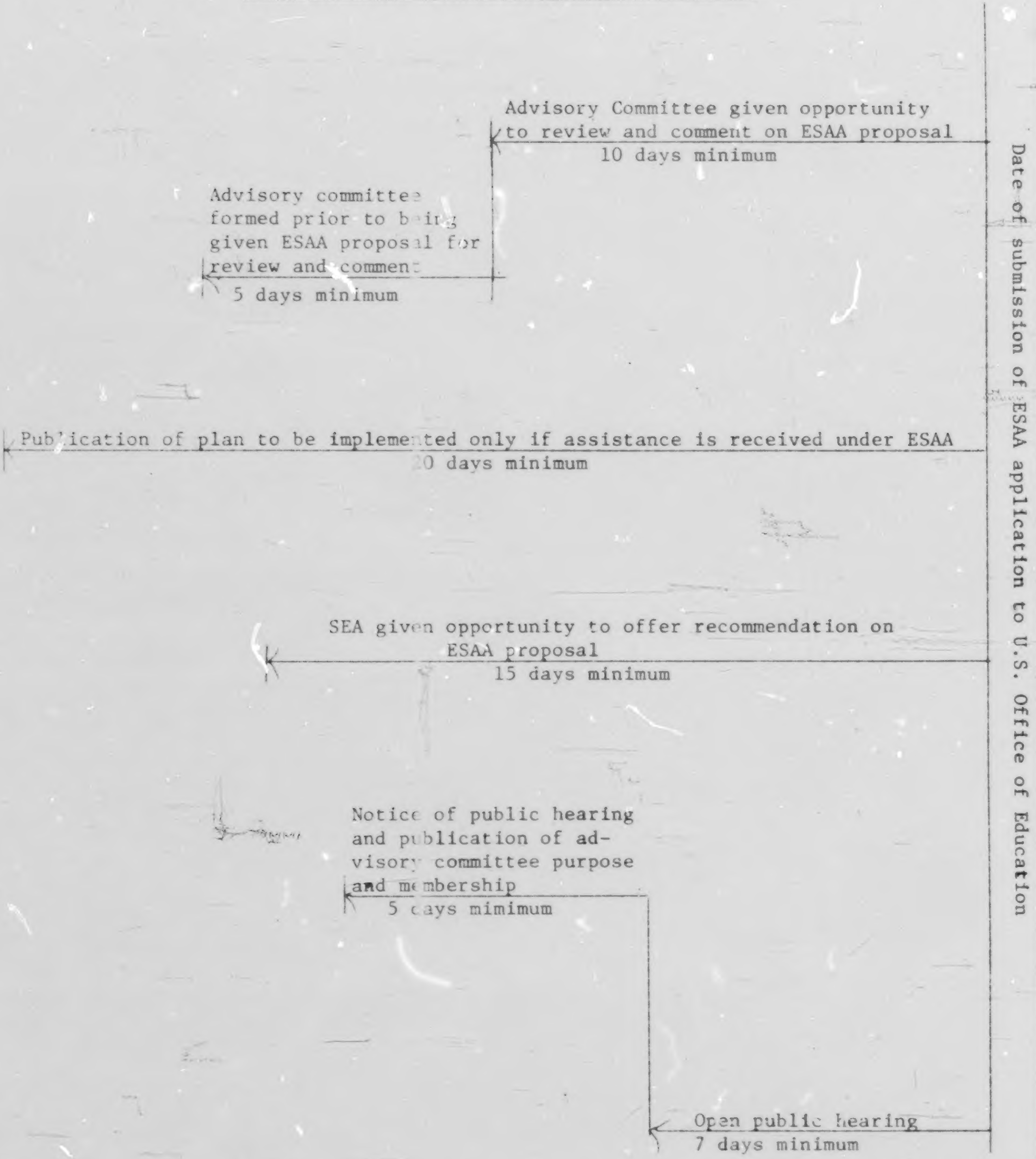
  c. Nonrequired desegregation plan, including school board resolution or other evidence of final official action and (in cases where plan would be implemented only if assistance were made available) evidence of publication of intention to implement plan.

- Table showing pupil enrollment data for the base school year (Instructions, page 1, Section II, and page 3)
- Table showing pupil enrollment data for the project school year (Instructions, page 1, Section II, and page 4)
- Table showing numbers of students, teachers, and other staff from public schools participating in the Basic LEA Project (Instructions, page 5, Section III, Item 2)
- Table showing numbers of students, teachers, and other staff from nonpublic schools participating in the project (Instructions, page 5, Section III, Item 2)
- If applicable, table showing numbers of students, teachers, and other staff participating in Pilot Project and table presenting same information on persons participating in Bilingual/Bicultural Project (Instructions, page 5, Section III, Item 2)

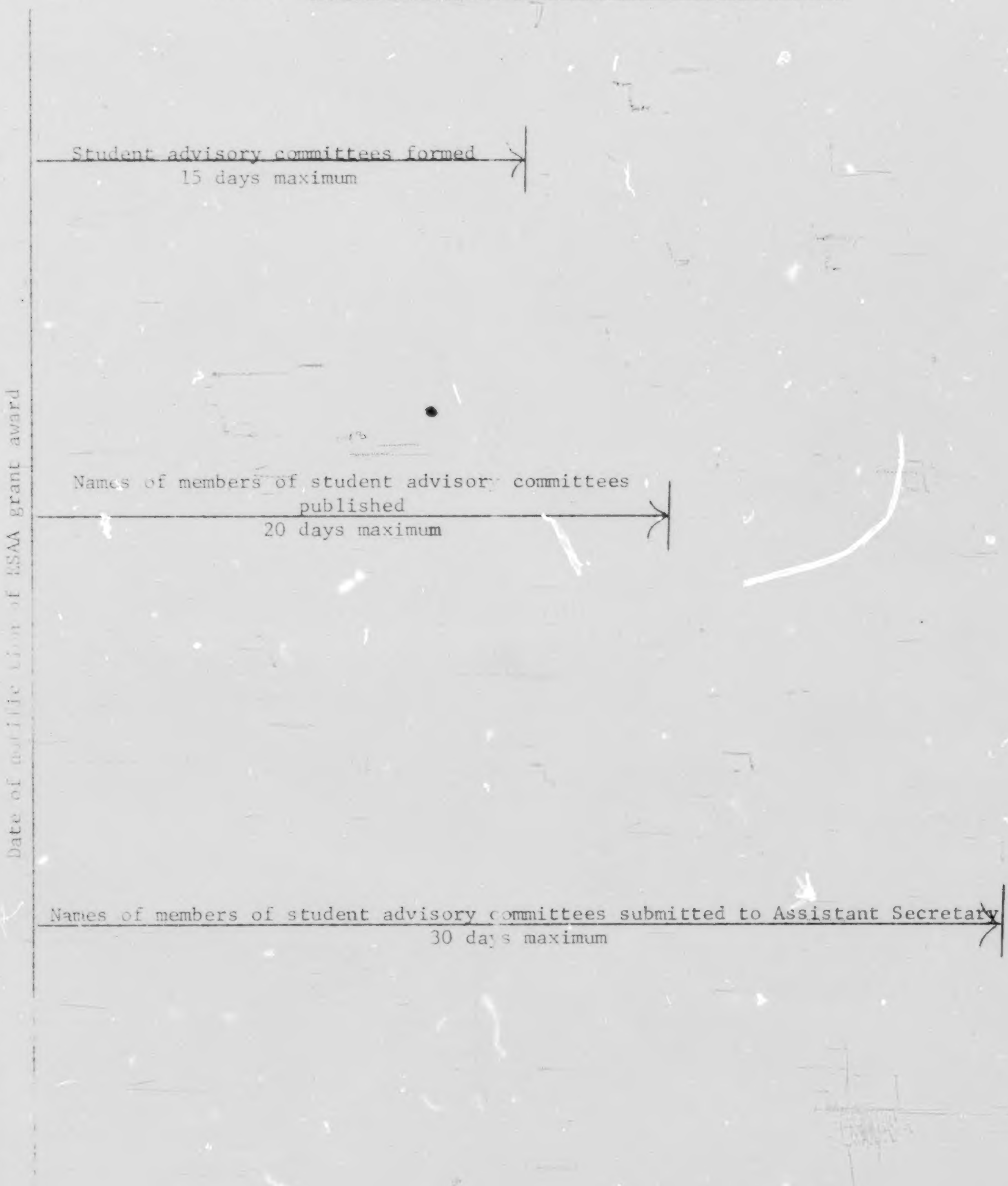
- Names, addresses, and other information regarding the district-wide advisory committee (Instructions, page 6, Section III, Item 4)
- Evidence of publication of names of committee members and purpose of the committee (Instructions, page 6, Section III, Item 4)
- Description of project activities (Instructions, pages 7-8, Section III, Item 7)
- If applicable, separate descriptions of project activities for Pilot Projects and Bilingual/Bicultural Projects (Instructions, page 8, Section III, Item 7)
- Schedule of major events during project implementation (Instructions, page 9, Section III, Item 8)
- Detailed budget explanation (Instructions, pages 9-10, Section IV)
- Itemization of non-Federal resources relating to purposes of ESAA (Instructions, page 11, Section IV, Item 2)
- Statement of procedures for coordination of ESAA activities with activities funded under Titles I, III, and VII of ESEA and Title IV of CRA (Instructions, page 11, Section IV, Item 4)
- Information regarding total local revenues, tax rate, and expenditure per pupil (Instructions, pages 11-13, Section IV, Item 6)
- Comments of district-wide advisory committee (Instructions, page 13, Section IV, Item 10)
- Evidence of public notice of hearing on the ESAA proposal (Instructions, page 13, Section IV, Item 11(a))
- Minutes of public hearing (Instructions, page 13, Section IV, Item 11(b))
- List of faculty and total student enrollment, by race, for each nonpublic school participating in the ESAA project (Instructions, pages 13-14, Section IV, Item 15)
- Statement of transactions with nonpublic schools (Instructions, page 14, Section IV, Item 22)
- Information regarding number of principals, full-time teachers, and head coaches (Instructions, pages 14-15, Section IV, Item 23)

- Information regarding number of children in all minority or all nonminority classes (_Instructions_, page 15, Section IV, Item 24)
- Information regarding students in special classes for the mentally retarded and in classes for children with learning disabilities (_Instructions_, page 15, Section IV, Item 25(a))
- Information regarding students whose primary language is other than English (_Instructions_, pages 16-17, Item 25 (b) and (c))

XVII. Important Events in Development of Proposal


Date of submission of ESAA application to U.S. Office of Education
Advisory Committee given opportunity to review and comment on ESAA proposal
10 days minimum
Advisory committee formed prior to being given ESAA proposal for review and comment
5 days minimum
Publication of plan to be implemented only if assistance is received under ESAA
20 days minimum
SEA given opportunity to offer recommendation on ESAA proposal
15 days minimum
Notice of public hearing and publication of advisory committee purpose and membership
5 days mimimum
Open public hearing
7 days minimum

XVIII. Important Events in Implementation of Project


Date of notification of ESAA grant award
Student advisory committees formed
15 days maximum
Names of members of student advisory committees published
20 days maximum
Names of members of student advisory committees submitted to Assistant Secretary
30 days maximum

PART FOUR

PRE-AWARD ROLE OF U.S.O.E. REGIONAL OFFICES

I. Provision of Developmental Assistance

Applicants for ESAA grants may request assistance from their U.S.O.E. Regional Office in developing their proposals. The Regional Comissioner will conduct an initial orientation session for potential applicants in order to introduce the program to them and to distribute the materials they will need. This meeting will also be attended by representatives of nonprofit groups who are potential applicants and by representatives from the State education agencies. Following the general meeting staff members from the Regional Office will be available to give individualized developmental assistance to applicants needing such help. Among the topics on which they will be prepared to offer assistance are the following:

A. Techniques for generating broad-based community support

B. Programs and techniques that have been successful in the past in overcoming the effects of minority group isolation

C. Techniques for identifying the district's most serious needs

D. Methods to use in designing activities which are consistent with the educational needs and characteristics of the school district

As part of the application review process, the Regional Commissioner will return all applications which do not offer sufficient promise of achieving the purposes of the legislation, as judged by the non-Federal review panel. The applicant will be notified by letter of the specific reasons why the proposal has been returned. In addition, the Regional Office will assign a program officer to work with each applicant who wishes to resubmit his proposal. This program officer will be responsible for providing any further assistance.

II. Selection of Grant Recipients

Evaluation of proposals will take place in the Regional Offices. Recommendation of funding levels for approved applications will be made by the Regional Commissioner and communicated to Washington where final approval will be given by the Associate Commissioner for Equal Educational Opportunity.

Each proposal will be subject to the following reviews conducted in the Regional Office:

A. Statistical Data Review

This evaluation will be carried out using the first four rating scales in the Criteria for Basic LEA Grants and Pilot Projects and in the Criteria for Bilingual/Bicultural Applications. The statistical data supplied by the LEA regarding enrollment and isolation of minority group students will be the basis for this computation.

B. Eligibility Review

The Office for Civil Rights will be responsible for certifying that the plan submitted by the LEA conforms to the requirements of §185.11 of the Regulations and that the applicant satisfies each of the limitations on eligibility described in §185.43 of the Regulations and each of the requirements concerning the advisory committee described in §185.41 of the Regulations.

C. Administrative Review of the Budget

The first review of the educational program proposed by the applicant will be conducted by a Regional Office program officer and a contracting officer in order to determine that a need for assistance exists. They will examine the proposal to make sure that funds requested are needed to resolve problems related to the three purposes of the Act.

D. Educational Quality Review

After the administrative review has been completed, the quality of the proposed project will be rated by a four-member panel. The panel members will first make a threshold evaluation of the Application to determine whether or not it holds promise of achieving the purposes of the Act and thus to check the conclusion reaches by the program and contracting officers. If the panel believes it does not hold such promise, they will request that the proposal be returned to the applicant with specific suggestions for revision. If the panel decides that the Application does have merit, it will be scored using the standards in the Quality Criteria for Basic LEA and Pilot Project Grants or in the Quality Criteria for Bilingual/Bicultural Projects, whichever is applicable. Each panelist will evaluate the entire proposal and assign it a score. The scores will then be averaged to determine the applicant's educational quality rating. This will be added to the four enrollment and isolation scores to produce the applicant's overall rating.

The four members of each panel will be selected by the Regional Commissioner of Education from among a pool of qualified persons who are not employed by the Federal Government. All panels will include persons from each of the following four categories:

- a building principal, assistant superintendent, or superintendent of schools
- a classroom teacher
- a community representative who has no formal affiliation with any school
- a student, curriculum specialist, director of instruction, college or university professor, or staff member of a State education agency

The panels will evaluate applications from LEAs and from non-profit groups. In order to make sure that the panels are most effective, effort will be made to see that the panel members reflect the persons and groups being served and that they have specific experience relating to the types of projects which they will review. All panels will be bi-ethnic or multi-ethnic and will contain both men and women.

E. Pre-Grant Site Review

Regional Office staff members will visit any applicants requesting major grants. The purpose of the review will be to gather information to validate that which is presented in the Application. Applicants requesting smaller grants will also be visited when the Regional Office needs more information on which to base its funding decision.

PART FIVE

POST-AWARD PROCEDURES

I. Notification of Funding Decision

If the Application is approved for funding, the local educational agency will be notified in writing by the Regional Contracting Office. The applicant (now called the "grantee) will be sent a Notification of Grant Award document. It will contain the precise amount of the grant and will detail any changes which have been made regarding the proposed project. This document is the only official notification and authorization to begin obligating funds. If the Application is not approved, the applicant will be notified immediately and will be given the reasons why his proposal was not accepted for funding. If ESAA funds are still available, the applicant will be instructed on how to resubmit his application.

II. Periodic Reports Required of Grantee

Each LEA receiving an ESAA grant will be required to submit periodic reports to its Regional Office. (See §185.13(k) of the Regulations.) In general the grantee will be asked to indicate in these reports whether or not he is on schedule in meeting the program objectives he has set. The report forms will be mailed to the grantee well in advance of their deadlines for submission. The three kinds of required reports are described below:

A. Quarterly financial reports indicating the exact status of all ESAA funds received by the grantee

B. Quarterly progress reports comparing the accomplishments of the project with the schedule of proposed major events which was submitted as part of the Application

C. A final report incorporating the information in the quarterly reports and the results of the grantee's final evaluation of the project

III. Monitoring Procedures

In addition to the periodic reports, the grantee will also be asked to provide information as part of the Regional Office's monitoring effort. After receiving his funding notification, the grantee will be informed as to what his responsibilities and those of the Regional Office are in the area of program monitoring. In general, however, the grantee may expect that his project will be visited at least twice by an O.E. program officer. The first visit will take place shortly after submission of the first quarterly progress report. The second visit will be made following submission of the second quarterly progress report. Other visits will be made by the program officer as warranted. The grantee may also expect that the project will be visistd by a representative of the Office for Civil Rights who will observe the work being done by the grantee and who will be available to offer any needed assistance.

As part of their monitoring responsibilities, the Regional Office personnel will determine whether or not the grantee is complying with the Regulations and whether or not he is implementing his project as it was described in the Application. If one of the program monitors perceives serious problems in the project, he may call for an HEW audit of the project. If such an investigation produces evidence that the grantee is not implementing the project in conformity to his approved Application and the Regulations, formal enforcement proceedings may be undertaken against the grantee, possibly leading to termination of the grant.

IV. Advisory Committees

A. Student Advisory Committees

The Regulations (§185.41(h)) require the LEA to form student advisory committees not more than 15 days after grant notification. In forming these committees the LEA must meet the following requirements:

- A committee must be formed at each secondary school participating in the project.
- Each committee must be composed of an equal number of non-minority group students and students from each minority group that is substantially represented in the community.
- Each committee must have at least six members.
- Student advisory committee members must be selected by the student body or the student government of each school.

B. Project Participation by Advisory Committees

The grantee is required to consult with its advisory committee throughout the project cycle. The Regulations (§185.41) state that the local educational agency and the district-wide advisory committee must meet at least once a month in formal meetings which are open to the public. The purpose of such meetings is to review policy matters relating to the administration and operation of the project. The LEA must also meet periodically with its student advisory committees on matters relevant to the project. All such meetings should be scheduled on a regular basis, and minutes should be kept of matters considered in the sessions.

In addition, the grantee is required to give its district-wide advisory committee adequate opportunities to observe and comment on all activities relating to the project. Committee members should be kept continually informed and involved in order for them to make pertinent and effective contributions to the project. The grantee must also give the committee an opportunity to review and comment on all amendments to the project which substantially modify the approved project. The Regional Office will not approve any such amendment unless the comments of the advisory committee accompany the amendment or unless evidence is provided showing that the committee was given the opportunity to comment on the proposed change.

V. Close-Out Procedures

Upon completion of an ESAA project, the Office of Education is required to "close-out" the grant. A completed grant is one which is both physically and administratively complete. A grant is considered to be physically complete only after all services have been accomplished and the record of those services formally accepted by the Office of Education. A grant is administratively complete when all payments have been made and all administrative action accomplished.

The program officer receives all final reports and data concerning a grant. When the grant is completed, he reviews all final materials and determines whether or not they represent an acceptable performance. If acceptable the program officer notifies the contracting officer that the project is physically completed and requests the contracting officer to initiate administrative close-out.

The contracting officer is responsible for certifying that all administrative actions necessary to complete the grant have been accomplished and fully documented. He will require the grantee to complete four forms prior to close-out:

- a document releasing OE from all further liabilities and obligations
- a document assigning to OE all refunds, rebates, and credits which have arisen out of the performance of the grant
- a form listing all items of government property in the possession of the grantee and their location
- a form to be completed if the grantee has produced any inventions as a result of the grant

Upon receipt of the completed forms, the contracting officer will make certain that final payment has been made to the grantee. He will also give instructions to the grantee on the disposition of government property, in cases where such action is necessary. A closing review will then be performed by the contracting officer to make sure that all obligations have been fulfilled by U.S.O.E. and by the grantee and that the grantee's file in the Regional Office has been properly documented. Finally, the contracting officer will prepare and distribute the "Contracts/Grants Records Retirement Notice" to the grantee and to the appropriate Federal offices.

COMPREHENSIVE MANUAL
FOR
NONPROFIT GROUPS

EMERGENCY SCHOOL AID ACT
(P.L. 92-318 Title VII)

Department of Health, Education, and Welfare
Office of Education

December 1972

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INTRODUCTION

The purpose of this manual is threefold.

- First, it is designed to assist the applicant in understanding how to use the forms and informational materials which have been developed for ESAA Nonprofit Groups.
- Second, the manual is intended to direct the applicant in accomplishing the steps necessary for submitting an application. The manual centralizes the information and resources needed to develop a proposal which conforms to the general requirements established by the Office of Education. This information will also assist the applicant in fulfilling the legal requirements of the Emergency School Aid Act (Public Law 92-318) and the ESAA Regulations (45 CFR Part 185).
- Finally, the manual may be used as a reference guide throughout the project cycle. The resources provided here should answer many of the questions which the nonprofit group may ask in operating an ESAA project.

Throughout the manual, reference is made to the five documents which will be provided to any nonprofit group wishing to apply for ESAA funds. They are described here:

- The Regulations contain the official rules and procedures which govern the administration of ESAA. Any question involving legal or technical requirements should be resolved by referring to the Regulations. Note: The Regulations are to be published about January 2, 1973. Earlier drafts of this document are meant to be advisory only. The Regulations can be expected to be very similar to the earlier draft as published in the Federal Register on December 2, 1972, but applicants will be bound by the Regulations as published about January 2, 1973.

- The Criteria for Nonprofit Groups Programs presents the standards and scales which will be used to evaluate and rate all applications for ESAA Nonprofit Groups funding. The first four scales pertain to the objective criteria, specifically the enrollment and isolation of minority group students. The fifth scale, the Quality Criteria, sets the programmatic standards for all Nonprofit Groups proposals.

- The Needs Assessment Guide is provided to assist the applicant in determining the specific needs on which to focus his project.

- The Application for Assistance Under the Emergency School Aid Act/Nonprofit Group and the required attachments solicit the information necessary to establish eligibility for assistance and to evaluate the proposed project.

- The Instructions for Submitting Project Proposals/Nonprofit Groups directs the applicant in completing the Application.

PART ONE

POLICY FOCUS FOR NONPROFIT GROUPS

I. Legislative Requirements

Congress has made financial assistance available through the Emergency School Aid Act for three broad purposes, all relating to the problems created by minority group isolation in our nation's schools:

(1) To meet the special needs incident to the elimination of minority group segregation and discrimination among students and faculty in elementary and secondary schools.

(2 To encourage the voluntary elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority group students.

(3) To aid school children in overcoming the educational disadvantages of minority group isolation.

The major part of the financial assistance provided for these purposes is earmarked for grants to local educational agencies (LEAs). Eight percent of the total funds, however, will be used to assist public and nonprofit private groups in carrying out projects designed to support the implementation or development of a desegregation plan or plan of a LEA to eliminate, reduce, or prevent minority group isolation. None of the 8% set-aside of funds may go to local educational agencies, although nonpublic elementary and secondary schools which propose to conduct a project in support of an eligible LEA plan may apply for assistance from one-half of this 8%. It must be remembered that nonprofit groups may be funded only to conduct activities which are designed to support the implementation of an eligible LEA plan or to develop such a plan if requested by the LEA to do so.

II. Special Considerations for Applicants

Because of the limited amount of funds available, potential applicants within the area of a given school district are encouraged to coordinate their efforts and to submit a single application for ESAA funds. Points will be given in the review process to proposals showing evidence of such cooperative effort. (See Section III of the Quality Criteria.) From a contractual standpoint applicants desiring to submit a joint application may do so in one of several ways.

1. The cooperating groups within the area of a single LEA may choose one among them to be the "prime agency." This group would submit a single application on behalf of all the cooperating groups and would, if funded, be responsible for coordinating the total project. All other cooperating groups would be considered subcontractors, and the prime contractor would be held accountable for their activities. Such an arrangement would be an allowable exception to the general ESAA disapproval regarding subcontracting.

2. An alternative approach is for the cooperating groups in the community to incorporate themselves into a single, consolidated nonprofit group which meets all the ESAA eligibility requirements. An incorporated consortium such as this could then employ a core managerial staff which would handle all business functions, including the application for ESAA assistance and administration of the grant. In this case particular care would need to be exercised in order to avoid unnecessary overhead costs.

A major emphasis of the Nonprofit Groups Program is close cooperation between the nonprofit group and the LEA. To design and implement a project which complements the LEA's program and which effectively supports its plan will in most cases require the nonprofit group to limit its involvement to a single school district. Applicants who concentrate their efforts in a single LEA will be more likely to achieve the cooperation for which points are given in the review process. (See Sections I and III of the Quality Criteria.)

The overall focus of any proposal by a nonprofit group should be to increase interracial understanding through more constructive interaction among students, parents, teachers, and the community in general. (See Section III of the Quality Criteria.) Points will be awarded for activities which are designed to create opportunities for greater communication and understanding among the schools, students' homes, and the community. In creating such opportunities, the proposed project should have the effect of making the LEA's desegregation effort a smoother and more successful process. This goal may be accomplished through a variety of specific activities. They must all, however, fall within the scope of the twelve [illegible] described in § 185.62 of the Regulations.

PART TWO

DEVELOPMENT OF A NONPROFIT GROUPS PROPOSAL

I. Eligibility

Any nonprofit group desiring to submit an application should obtain the five documents listed in the Introduction to this manual from the appropriate Regional Office.

Before beginning development of its proposal, a nonprofit group should consider whether or not it is likely to be eligible. The eligibility requirements are presented in § 185.61 of the Regulations and are summarized here:

- The group must be either a public agency, institution, or organization or a nonprofit private agency, institution, or organization. If it is a private group, it must present evidence of nonprofit status, as described in § 185.61(b).
- The applicant must be a legal entity.
- The applicant must support the implementation or development of an eligible LEA desegregation plan or plan to reduce minority group isolation. To be eligible, the plan must conform to the specifications in § 185.11. For proposals in support of the implementation of an LEA plan, the applicant must submit a copy of the LEA plan with its application. While the LEA must be implementing an eligible plan in order for the nonprofit group to be eligible, the eligibility of the nonprofit group is not affected if the LEA does not apply for assistance under the Act or if it is not eligible because of failure to comply with Subpart E of the Regulations. For proposals in support of the development of an eligible plan, the applicant's eligibility is likewise unaffected if the LEA does not apply for assistance under the Act; however, the LEA must have requested support for the development of a plan.

II. The District-wide Advisory Committee

Before submitting an application, the applicant must consult with an advisory committee organized for the purpose of this project. Requirements stated in § 185.65 of the Regulations and summarized here must be fulfilled when organizing the advisory committee.

The following organizations and groups are to be designated to select representatives to serve on the committee:

- At least five civic and community organizations which, taken together, are broadly representative of the community must be designated to select one representative each to serve on the advisory committee.
- The LEA must be invited to select one teacher, principal, administrator, or school board member to be its representative on the committee.
- If the LEA has applied for ESAA funds, its advisory committee must be invited to select at least one representative to serve as a member of the nonprofit group's advisory committee.

After these persons have been selected, the nonprofit group should select the minimum number of persons necessary to ensure that the parental and racial composition conforms to the following ratios:

- At least 50% of the adult members must be parents of students directly affected by the LEA's plan.
- The group must contain equal numbers of nonminority group members and members of each minority group which is substantially represented in the community.

From the students at the LEA's secondary schools, the applicant must next select enough student representatives so that 50% of the members of the advisory committee are students. Students selected shall be in equal numbers of nonminority group members and members of each minority group which is substantially represented in the community.

As an alternative to this selection procedure, the nonprofit group may designate the ESAA advisory committee of the LEA to serve also as its advisory committee, provided that the nonprofit group adds appropriate members to conform to the student, parent and racial requirements set out in the Regulations and summarized above.

The advisory committee has the following rights and responsibilities which must be fulfilled prior to submission of the Application:

- The committee must participate in the needs assessment process.
- The names of the committee members and a statement of the committee's purpose must be published locally.
- The committee must review and comment on the completed application, with at least ten days allowed for this process. The nonprofit group must form the advisory committee at least five days before the review process begins, and it must provide the members with copies of the Act and the Regulations.

Care should be taken to document the extent of involvement of the advisory committee during the proposal development process, including attendance at meetings and work sessions and the dates on which these events took place. Record should also be kept of invitations to join the advisory committee and of all letters of acceptance. These documents as well as letters to and from community organizations, the LEA, and the LEA's advisory committee should be retained for future reference. Section III of the Application requests information concerning the advisory committee. Sections I and III of the Quality Criteria outline standards which will be used to evaluate the advisory committee established by the applicant.

III. Cooperation with the Local Educational Agency

Any ESAA proposal submitted by a nonprofit group must be designed to support the local educational agency's desegregation plan or plan to reduce, prevent, or eliminate minority group isolation; or the proposal must outline how the nonprofit group would develop such a plan, if it has been requested by the LEA to do so. This requirement indicates the importance of establishing a harmonious and cooperative working relationship with the LEA. Although LEA representatives must not be allowed to determine the activities which the nonprofit group will propose, they can provide information and insights which may be valuable in identifying and documenting the needs which the nonprofit group will address.

As a general rule the earlier the nonprofit group approaches the LEA, the more satisfactory a relationship they will be able to establish. One obvious starting point for creating such a relationship is when the nonprofit group (as required) asks the LEA to name a representative to the nonprofit group's advisory committee, although joint planning may begin much earlier. If the LEA is also applying for an ESAA grant, the establishment of a close liaison with the LEA's advisory committee will offer another useful channel of communication and cooperation.

For the purpose of completing Section IV, Items 1 and 2 of the Application, all contacts between the nonprofit group and the LEA should be documented. As far as possible, such information should conform to the standards in Section I.A. of the Quality Criteria. If the LEA declines to name a representative to the nonprofit group's advisory committee, written documentation of that decision should be obtained, and a copy of it should be included with the comments of the advisory committee when the Application is submitted to the Office of Education. Similarly, if the LEA refuses to sign the Application (Section II, Item 3), it may still be submitted but an explanation should be provided which outlines the applicant's efforts to achieve cooperation. In the event the LEA does not apply for assistance, the nonprofit group should obtain from the LEA the information which is responsive to the objective criteria (Criteria for Nonprofit Groups Programs) and submit this with the Application.

IV. Needs

By deciding to explore the possibility of ESAA funding, the group has already indicated that desegregation-related needs may be present in the community. Before developing a proposal, however, the nonprofit group must determine the specific needs on which the project activities will be focused. In this process the assistance of advisory committee members and representatives of the LEA should be very useful. The needs which are identified must be directly related to implementation or development of the plan that the nonprofit group wishes to support.

The adequacy of the nonprofit group's needs assessment will be one of the criteria used to rate the overall proposal. (See Section I of the Quality Criteria.) In arriving at this rating, points will be given for (1) the degree to which the needs assessment reflects cooperation with the LEA and coordination with LEA programs and (2) the magnitude of the needs, as reflected by objective evidence submitted by the applicant. Such evidence should be provided for each need which the group intends to address and should form part of the information given in response to Section IV, Item 9 of the Application.

The Needs Assessment Guide is designed to assist the nonprofit group in focusing on its most serious needs. It should also help the group in gathering the data which will be used in substantiating its needs on the Application. The Guide is offered only as a self-help tool -- to be used or not, as the applicant wishes. If used, the Guide should not be submitted with the Application.

V. Objectives

For purposes of the proposal an objective must describe a condition which could exist if a specific need were satisfied. The program objectives must therefore be developed directly from the needs assessment. Depending on the characteristics of a particular need, it is possible that it could be satisfied by a single objective or by several different objectives. The applicant will have to select those objectives most closely related to the needs which it has identified and most clearly within its capacity to achieve. Objectives will be evaluated according to how specific and measurable they are and according to their probability of success. (See Section II of the Quality Criteria.) They will be presented in Section IV, Item 9 of the Application.

In designing the objectives it should be understood that they will not only provide the starting point for the development of activities but will also provide the basis for the program evaluation. For this reason, the objectives must have the specificity detailed in the Quality Criteria. These characteristics will later help the applicant to measure more precisely the extent to which each objective is achieved by the project activities.

VI. Activities

Proposed activities will be rated according to a variety of criteria, which are described in Section III of the Quality Criteria. Approximately half of the total points awarded for a proposal's educational merit (21 of the 45 points allowed) will be determined by the quality and relevance of the proposed activities. Clearly, applicants should take special care to see that information responsive to the criteria is presented in describing the project activities. Such information should be presented in Section IV, Item 9 of the Application.

The types of activities which may be supported through an ESAA grant to a nonprofit group are specified in § 185.62 of the Regulations. Activities which do not fall into one or more of these categories may not be funded. In addition, all activities for which funds are requested must be consistent with the three purposes of the Act.

Most of the activities which will be funded by ESAA come under the eight headings shown on the Application. The headings are listed below with examples of possible activities given for each:

(1) Community Information Programs

- In areas experiencing a great deal of turmoil, rumor control centers can act as clearinghouses for accurate information. A center may be organized with several shifts of parents manning a telephone on which community residents can call in. If the service and the telephone number are well-publicized and if the group has established lines of quick communication with school authorities, law enforcement officials, and other important information sources, the rumor control service will be able to correct exaggerations and falsehoods before they lead to misunderstanding and confrontation.

- Community newsletters dealing with desegregation issues and television and radio features can also assist in dealing with some areas of need.

(2) Home - focused Programs

- In communities where communication between parents and the schools is weak, a nonprofit group could organize a series of small group meetings, including teachers, school administrators, parents, and students. Such meetings could be used to discuss problems and to gather information and ideas. Often, by holding these meetings in homes, rather than in school buildings, channels of communication can be opened and participation can be promoted among persons who are less likely to attend meetings held in more formal settings.

- Parent/child reading projects can be used to encourage parental involvement in the curricular program and to assist students' growth in basic skills.

(3) Cultural Enrichment Activities

- Local artists and craftsmen might be encouraged to conduct a series of arts and crafts workshops held on Saturdays or weeknights. If few interracial activities are taking place in the community, such workshops might offer a good opportunity to establish interracial interest groups composed of both children and adults.

(4) Interracial Social and Recreational Programs

- A nonprofit group which sees a need for increased recreational opportunities for students (perhaps, in an LEA which has a limited afterschool sports program) might organize athletic activities involving parents and children.

- Another method for increasing social and recreational opportunities would be the establishment of an interracial activity center where social activities and discussion sessions could take place.

(5) Interracial Educational Enrichment Programs

- One example of such a program would be an after-school seminar which enabled students to explore a single topic or activity in depth, such as creative writing, math games, or major figures in the history of a particular ethnic group. The seminar topics should be selected so as to complement topics the students have studied in school.

(6) Career Orientation Activities

- Local businessmen, professionals, and skilled laborers might participate in a job introduction program which would describe the local job market to students, advise them on the educational training needed for various career paths, and provide opportunities for the students to talk with practitioners of the various occupations in which they express interest. All occupations should be presented in an interracial context in order to emphasize the range of opportunities open to each student. Wherever possible, the parents of students should act as occupational representatives.

(7) Dropout Prevention Programs

- A nonprofit group which had established a cooperative working relationship with the LEA might enlist the assistance of LEA staff members in the identification of potential dropouts. The nonprofit group could then work with the students and with their parents and teachers to help the students find answers to some of the problems which have caused their school difficulties.

(8) Supplemental Remedial Services

- A tutorial service could be set up for students with a history of educational disadvantage due to minority group isolation and other causes. Supplementary instruction in basic areas could be conducted using games, dramatics, and other techniques which might be especially likely to build motivation. In addition, the tutorial staff might work with students and parents together to help the students build better study habits.

If a college is nearby, teacher trainees could be hired to provide instruction under the guidance of an experienced instructor. Students in the local high school might also be brought in to work with younger students in a "youth teaching youth" effort. If this proved successful, a program might be set up in which students who are proficient in a particular subject or skill area tutored other students their own age.

VII. Timetable

The applicant must draw up a timetable showing the major stages of performance in implementing his project. This timetable would be a listing of prominent milestones or major events and the dates on which the events will begin and end. The timetable is important because it provides a chronological description of the project in addition to the topical listing of complete activities required in Section IV, Item 9 of the Application. Since activities will probably overlap, major events within two or more activities may take place at almost the same time. If the applicant does not plan ahead, major events occurring one on top of another might put an unworkable strain on staff, facilities, and administrative procedures. The timetable will thus be useful since it will show at a glance how the activities interrelate and what will be happening at any given time. In addition, it will be used by O.E. Regional Office personnel in monitoring the project. This timetable is to be presented in Section IV Item 10 of the Application.

VIII. Evaluation Design

The project objectives should indicate the types of information which must be gathered in order to measure the progress and effectiveness of the project. At this stage in the development of the proposal, the applicant should determine exactly how and at what time during the project such information will be collected. This task will be easy if the project activities have been clearly and specifically stated and if the project timetable is realistic and carefully formulated.

The quality of the evaluation design will be a criterion used to rate the educational and programmatic quality of the proposal. (See Section V of the Quality Criteria.) The applicant's evaluation design must be presented in Section IV, Item 9 of the Application.

IX. Administrative Policies and Procedures

To minimize future problems, the applicant should determine all administrative policies and procedures well in advance of project implementation. This includes in particular all policies affecting personnel, such as recruitment, hiring, and training of staff. The group should also determine what standards of performance will be required of employees, how the standards will be enforced, and what divergence from these standards will constitute grounds for dismissal. In addition, all policies such as those governing hours of work, overtime, and leave time should be carefully established.

The group should also determine what their organizational structure will be. Included in this consideration would be analysis of where the various levels of decision-making authority will reside, where the responsibility will be for financial transactions, what the operating procedures will be, and other such questions. The more carefully these policies and procedures are spelled out, the smoother program operation will be. If possible, the applicant should involve many persons having a wide variety of perspectives in this process of policy formulation. The policies and procedures that are finally decided upon should be summarized and presented in Section IV, Item 11 of the Application. The standards by which they will be evaluated are contained in Section III C and D and in Section IV of the Quality Criteria.

X. Budget

The budget must be based directly upon the proposed activities. This means, first, that the [illegible] necessary for each activity must be adequately covered in the budget and, second, that no funds may be requested which are not directly related to one or more activities. In preparing the application, the need for every cost item, such as staff positions, travel funds, and the rental of facilities, must be fully reflected in the description of the applicant's proposed activities. Budget items which are unreasonably high or low will be revised during the application review process and will cause the applicant to lose points on his quality rating (Section IV of the Quality Criteria). The budget must be presented in Section V of the Application, first, in a brief format and, second, in a detailed itemization of all anticipated costs.

XI. Certification of Accounting System

The applicant should note that Section VI of the Application requires approval of the applicant's accounting system by a certified (or duly licensed) public accountant. This requirement makes it imperative that an acceptable accounting system be designed and used by the applicant.

XII. Completion of the Application Form

After the applicant has proceeded through the proposal development process, he should review the notes and working papers to reduce this information down to that which is most important and that which most closely conforms to the requirements contained in the Quality Criteria. Before actually filling in the Application, he should read the Instructions accompanying the form carefully. In addition to the directions contained there, the applicant should keep these hints in mind:

(1) Any generalizations that are used should be fully substantiated with facts.

(2) Do not state the same information twice on the form, except where such repetition is unavoidable.

(3) Keep responses to questions on the form brief and specific. It is essential to submit an application which has short, factual answers rather than one which rambles for many pages without communicating [illegible] specific content.

After the form has been completed, use this check list to see that the signatures of the following persons are present on the Application:

- ☐ Authorized representative of the applicant nonprofit group (Section I, Item 14)
- ☐ Representative of the local educational agency (Section II, Item 3)
- ☐ Certified (or duly licensed) Public Accountant (Section VI)
- ☐ Authorized official of the applicant nonprofit group (Section VII)
- ☐ President, Chairman of Board, or comparable authorized official of the applicant nonprofit group (Section VII)

This check list is provided to make sure that the following attachments accompany the completed Application:

- ☐ Comments of local educational agency (Section II, Item 1)
- ☐ Data on LEA's enrollment and isolation of minority group students (to be submitted only if LEA is not applying for ESAA grant -- Section II, Item 8)
- ☐ One copy of the LEA's plan which the nonprofit group proposes to support (Section II, Item 9)
- ☐ Description of the composition of the advisory committee and by whom the members were selected (Section III, Item 1)
- ☐ Comments of the advisory committee (Section III, Item 4)
- ☐ Description of project according to needs (Section IV, Item 9)
- ☐ Schedule of major events (Section IV, Item 10)
- ☐ Outline of administrative policies and procedures (Section IV, Item [illegible])

- ☐ Detailed breakdown of budget (Section V, Item 2)
- ☐ Evidence of publication of information concerning advisory committee (Section VII, Item 11)
- ☐ Evidence of nonprofit status (Section VII, Item 16)

Ten copies of the completed Application and attachments should be mailed to the appropriate Regional Office. (See list in Instructions.) Only one copy of the LEA's plan which the group proposes to support needs to be submitted with the copies of the proposal.

PART THREE

PRE-AWARD ROLE OF U. S. O. E. REGIONAL OFFICES

I. Provision of Developmental Assistance

Applicants for ESAA Nonprofit Group grants may request assistance from their U.S.O.E. Regional Office in developing their proposals. The Regional Commissioner will conduct an initial orientation session for potential applicants in order to introduce the program to them and to distribute the materials they will need. This meeting will also be attended by representatives of local educational agencies who are potential applicants and by representatives from their state education agencies.

Following the general meeting staff members from the Regional Office will be available to give individualized developmental assistance to applicants needing such help.

They will be prepared to offer assistance in the following areas:

(1) How to generate broad-based community support

(2) What programs and techniques have been successful in the past in overcoming the effects of minority group isolation

(3) How to identify the most serious needs

(4) What techniques to use in coordinating with the LEA and with other Federal education programs which are already underway

(5) How to design activities which are consistent with the educational needs and characteristics of the community

Because of limited resources, assistance will generally be confined to helping the applicant get started in the proposal development process.

As part of the proposal review process, the Regional Commissioner will return all applications which do not offer sufficient promise of achieving the purposes of the legislation. The applicant will be informed by letter of the specific reasons why the proposal has been returned. In addition, the Regional Office will assign a program officer to work with each applicant who wishes to resubmit his proposal. This program officer will be responsible for providing any necessary assistance.

II. Selection of Grant Recipients

Evaluation of nonprofit group proposals will take place in the Regional Offices. Recommendation of funding levels for approved applications will be made by the Regional Commissioner and communicated to Washington where final approval will be given by the Associate Commissioner for Equal Educational Opportunity.

Each proposal will be subject to the following reviews conducted in the Regional Office:

A. Statistical and Compliance Reviews

In its proposal the nonprofit group will have indicated whether or not an ESAA application is being submitted by the LEA whose plan the nonprofit group proposes to support. If so, the statistical data regarding enrollment and isolation of minority group students will be taken from the LEA application and the first four ratings described in the Criteria for Nonprofit Groups will be computed from that data. If the LEA is not submitting an application, the Regional Office will determine the four enrollment and isolation ratings from data provided by the nonprofit group. The Office for Civil Rights will be responsible for certifying that the LEA plan submitted with the Application conforms to the requirements of § 185.11 of the Regulations.

B. Administrative Review of the Budget

The first review of the educational program proposed by the applicant will be conducted by a Regional Office program officer and a contracting officer in order to determine that a need for assistance exists. They will examine the proposal to make sure that funds requested are needed to resolve problems related to the three purposes of the Act. In cases where their review reveals that requested funds could not be used in this way, the applicant will be notified immediately and will be given the opportunity to resubmit his application or to submit a new one. In addition, he will be offered assistance.

C. Educational Quality Review

After the administrative review has been completed, the quality of the proposed project will be rated by a four-member panel. The panel members will first make a threshold evaluation of the application to determine whether or not it holds promise of achieving the purposes of the Act and thus check the conclusion reached by the program and contracting officers. If the panel feels it does not hold such promise, they will request that the proposal be returned to the applicant with specific suggestions for revision. If the panel decides that the application does have merit, it will be scored using the standards in the Quality Criteria. Each panelist will evaluate the entire proposal and will assign it a score from 0 to 45. Then, the scores will be averaged to determine the applicant's educational quality rating. This will be added to the four enrollment and isolation ratings to produce the applicant's overall rating.

During this process the panel may decide that certain proposed activities should be dropped from the project. Or they may decide that certain activities should be added to the project. If this happens, the applicant will be notified immediately. The panel may also suggest changes in the proposed budget where they believe the applicant's anticipated expenses to be unrealistic.

The four members of each panel will be selected by the Regional Commissioner of Education from among a pool of qualified persons living in the Region and not employed by the Federal government. Each panel will include persons from each of the following four categories:

- a community representative who has no formal affiliation with any school

- a classroom teacher
- a building principal, assistant superintendent, or superintendent of schools
- a student, curriculum consultant, director of instruction, college or university professor, or staff member of a state education agency

Panels evaluating applications from nonprofit groups will also evaluate local educational agency applications for ESAA basic grants, pilot projects, and, in some cases, bilingual/bicultural grants. In order to make sure that the panels are most effective, effort will be made to see that the panel members reflect the persons and groups being served and that they have specific experience relating to the types of projects which they will review. All panels will be bi-ethnic or multi-ethnic and will contain both men and women.

D. Pre-grant Site Review

Regional Office staff members will visit any applicants requesting major grants. The purpose of the review will be to gather information to validate that which is presented in the application. Applicants requesting smaller grants will also be visited when the Regional Office needs more information on which to base its funding decision.

PART FOUR

POST-AWARD PROCEDURES

I. Notification of Funding Decision

If the application is approved for funding, the nonprofit group will be notified in writing by the Regional Contracting Office. The applicant (now called the "grantee") will be sent a Notification of Grant Award document. It will contain the precise amount of the grant and is the official notification and authorization to begin obligating funds.

If the application is not approved, the applicant will be notified immediately and will be told why his proposal was turned down. If ESAA nonprofit group funds are still available, the applicant will be instructed on how to resubmit his application.

II. Periodic Reports Required of Grantee

Each nonprofit group receiving an ESAA grant will be required to submit periodic reports to its Regional Office. In general the grantee will be asked to indicate in these reports whether or not he is on schedule in meeting the program objectives he has set. The report forms will be mailed to the grantee well in advance of their deadlines for submission. The three kinds of required reports are described below:

(1) Quarterly financial reports indicating the exact status of all ESAA funds received by the grantee

(2) Quarterly progress reports comparing the accomplishments of the project with the schedule of proposed major events which was submitted as part of the Application

(3) A final report incorporating the information in the quarterly reports and the results of the grantee's final evaluation of the project

III. Monitoring Procedures

In addition to the periodic reports, the grantee will also be asked to provide information as part of the Regional Office monitoring effort. After receiving his funding notification, the grantee will be informed as to what his responsibilities and those of the Regional Office are in the area of program monitoring. In general, however, the grantee may expect that his project will be visited from time to time by a program officer or a representative of the Office for Civil Rights who will observe the work being done by the grantee and who will be available to offer any needed assistance.

As part of their monitoring responsibilities the Regional Office personnel will determine whether or not the grantee is complying with the Regulations and whether or not he is implementing his project as it was described in the Application. Failure to do either may result in formal enforcement proceedings being undertaken against the grantee.

IV. Post-award Role of Advisory Committee

The grantee is required to consult with its advisory committee throughout the project cycle. The Regulations (§ 185.65(d)) state that the nonprofit group must meet at least once a month in formal meetings with its advisory committee to review policy matters relating to the administration and operation of the project. The meetings should be scheduled on a regular basis, and minutes should be kept of all matters considered in these sessions.

The grantee is also required to give the advisory committee adequate opportunities to observe and comment on all activities relating to the project. Committee members should be kept continually informed and involved in order for them to make pertinent and effective contributions to the project. The grantee also must give the committee an opportunity to review and comment on all amendments to the project which the grantee desires to make. The Regional Office will not approve any amendments unless the comments of the advisory committee accompany the amendment or unless evidence is provided showing that the committee was given the opportunity to comment on the proposed change.

V. Close-out Procedures

Upon completion of an ESAA project, the Office of Education is required to "close out" the grant. A completed grant is one which is both physically and administratively complete. A grant is considered to be physically complete only after all services have been accomplished and the record of those services formally accepted by the Office of Education. A grant is administratively complete when all payments have been made and all administrative action accomplished.

The program officer receives all final reports and data concerning a grant. When the grant is completed, he reviews all final materials and determines whether or not they represent an acceptable performance. If acceptable the program officer notifies the contracting officer that the project is physically completed and requests the contracting officer to initiate administrative close-out.

The contracting officer is responsible for certifying that all administrative actions necessary to complete the grant have been accomplished and fully documented. He will require the grantee to complete four forms prior to close-out:

(1) a document releasing OE from all further liabilities and obligations

(2) a document assigning to OE all refunds, rebates, and credits which have arisen out of the performance of the grant

(3) a form listing all items of government property in the possession of the grantee and their location

(4) a form to be completed if the grantee has produced any inventions as a result of the grant

With respect to the third form, it should be noted that all equipment purchased with Federal funds normally reverts to the funding agency (in this case Office of Education) at the close of the project.

Appendix D

Applications and Instructions

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

O.M.B. NO. 51-R0860
APPROVAL EXPIRES: 6/30/73

Page 1 of 8 Pages

FOR U.S.O.E. USE ONLY
PROJECT NUMBER
GRANT NUMBER

APPLICATION FOR ASSISTANCE UNDER THE EMERGENCY SCHOOL AID ACT
LOCAL EDUCATIONAL AGENCIES

SECTION I - APPLICANT INFORMATION

1. NAME OF LOCAL EDUCATIONAL AGENCY
2. TELEPHONE AREA CODE NUMBER
3. ADDRESS - NUMBER AND STREET *(if applicable)*
4. CITY
5. STATE
6. ZIP CODE
7. COUNTY
8. CONGRESSIONAL DISTRICT
9. NAME OF LOCAL EDUCATIONAL AGENCY CONTACT PERSON
10. TELEPHONE AREA CODE NUMBER

FEDERAL FUNDS REQUESTED	
BASIC GRANT	$
PILOT PROJECT	$
BILINGUAL	$
TOTAL	$

12. PERIOD OF PROPOSED PROJECT

STARTING DATE		
MONTH	DAY	YEAR
ENDING DATE		
MONTH	DAY	YEAR

APPLICANT MUST REVIEW AND SIGN THE STATEMENT OF ASSURANCES.

APPLICANT MUST ATTACH COPY OF ITS PLAN.

SUBMIT THIS FORM IN TEN (10) COPIES. SIGN ORIGINAL ONLY

PRINT OR TYPE NAME OF SUPERINTENDENT OR AUTHORIZED OFFICIAL
14. SIGNATURE OF SUPERINTENDENT OR AUTHORIZED OFFICIAL
15. DATE

SECTION II - SCHOOL ENROLLMENT AND MINORITY GROUP ISOLATION INFORMATION

1. CURRENT ENROLLMENT DATA

NEGRO	AMERICAN INDIAN	SPANISH-SURNAMED	PORTUGUESE	ORIENTAL	HAWAIIAN NATIVE	ALASKAN NATIVE	*TOTAL MINORITY*	*NON-MINORITY*	**TOTAL ENROLLMENT**

MINORITY GROUP ISOLATION

SCHOOLS WITH FOLLOWING PERCENTAGES OF MINORITY STUDENTS (1)	NUMBER OF MINORITY STUDENTS IN BASE SCHOOL YEAR 19____ (2)	NUMBER OF MINORITY STUDENTS IN PROJECT SCHOOL YEAR 19____ (3)	SCHOOLS WITH THE FOLLOWING PERCENTAGES OF MINORITY STUDENTS (1)	NUMBER OF MINORITY STUDENTS IN BASE SCHOOL YEAR 19____ (2)	NUMBER OF MINORITY STUDENTS IN PROJECT SCHOOL YEAR 19____ (3)
100%			65 - 69.9%		
94.9%			60 - 64.9%		
[illegible]			55 - 59.9%		
84.9%			50 - 54.9%		
[illegible]			0 - 49.9%		
			TOTAL		

OE FORM 116-1, 1/72 REPLACES OE FORM 5279, WHICH IS OBSOLETE.

SECTION III - PROJECT DESCRIPTION *(attach sheets if necessary)*

Page 2 of 3 Pages

TYPE OF PROJECT *(check one or more)*

BASIC ☐ PILOT ☐ BILINGUAL

2. INDICATE THE NUMBER OF STUDENTS, TEACHERS, AND OTHER EDUCATIONAL STAFF IN PUBLIC AND NONPUBLIC SCHOOLS, PARTICIPATING IN THE PROJECT. USE FORMAT PRESENTED IN THE INSTRUCTIONS. *(attach to application)*

3. BRIEFLY DESCRIBE THE EXTENT OF PARENTAL, STUDENT, AND COMMUNITY INVOLVEMENT IN THE DEVELOPMENT AND IMPLEMENTATION OF THIS PROJECT

4. USING THE FORMAT SHOWN IN THE INSTRUCTIONS, DESCRIBE THE COMPOSITION OF THE DISTRICT-WIDE ADVISORY COMMITTEE. ATTACH REQUIRED EVIDENCE OF PUBLICATION.

5. WHAT FUNCTIONS, IN ADDITION TO THOSE CALLED FOR IN THE REGULATIONS, WILL THE STUDENT AND DISTRICT-WIDE ADVISORY COMMITTEES PERFORM?

BILINGUAL PROJECTS ONLY

6. NUMBER OF STUDENTS WHOSE DOMINANT LANGUAGE IS NOT **ENGLISH.** USE CURRENT ENROLLMENT DATA.

LANGUAGE	NUMBER OF STUDENTS	LANGUAGE	NUMBER OF STUDENTS	LANGUAGE	NUMBER OF STUDENTS
Spanish					
rtuguese				▨	*TOTAL NUMBER OF STUDENTS*

SECTION III - PROJECT DESCRIPTION (Continued)

Page of Pages

AME OF LOCAL EDUCATIONAL AGENCY

DESCRIBE YOUR PROJECT FOLLOWING THE FORMAT SHOWN IN THE INSTRUCTIONS

ATTACH A SCHEDULE OF THE MAJOR EVENTS WHICH WILL BE COMPLETED IN IMPLEMENTING THE PROJECT. LIST THE EVENTS IN CHRONOLOGICAL ORDER ACCORDING TO THE STARTING DATE OF EACH EVENT. USE THE FORMAT SHOWN IN THE INSTRUCTIONS.

SECTION IV - EMERGENCY SCHOOL AID ACT ACTIVITY BUDGET OUTLINE

(Attach detailed budget explanation (see instructions))

TYPE OF PROJECT (check one)
BASIC
PILOT
BILINGUAL

COST CATEGORY / ACTIVITY	100 ADMINISTRATION	200 INSTRUCTION	300 AND 400 ATTENDANCE AND HEALTH	500 PUPIL TRANSPORTATION SERVICES	600 OPERATION OF PLANT 700 MAINTENANCE OF PLANT	800 FIXED CHARGES 900 FOOD SERVICES 1000 STUDENT BODY ACTIVITIES 1100 COMMUNITY SERVICES	1200 CAPITAL OUTLAY	TOTAL FEDERAL FUNDS REQUESTED
1) Special Remedial Services								
2) Staff Training								
3) Guidance and Counseling Services								
4) Curriculum Development								
5) Career Education Programs								
6) Innovative Interracial Programs								
7) Community Activities								
8) Administrative and Auxiliary Services								
9) Planning and Evaluation								
10) Facility Repair								
11) TOTAL ALL ACTIVITIES								

SECTION V - CERTIFICATION OF ACCOUNTING SYSTEM	Page 4 of 5 Pages

A. *(To be used when certification is by a public financial officer.)*

As chief financial officer of ______________________________
NAME OF EMPLOYING OFFICE

I am responsible for providing financial services to ______________________________
NAME OF LOCAL EDUCATIONAL AGENCY

I hereby certify that the accounting system established for this agency has internal controls adequate to safeguard its assets, check the accuracy and reliability of its accounting data, promote operating efficiency, and encourage compliance with prescribed management policies and the fiscal requirements.

B. *(To be used when a CPA or other duly licensed independent accountant furnished the certification.)*

I am a certified (or duly licensed) public accountant and have been engaged to examine and report on the accounting system of ______________________________
NAME OF LOCAL EDUCATIONAL AGENCY

I have reviewed this agency's accounting system and I hereby certify that, in my opinion, it includes internal controls adequate to safeguard its assets, check the accuracy and reliability of its accounting data, promote operating efficiency, and encourage compliance with prescribed management policies and the fiscal requirements pursuant to 45 CFR part 185 and the applicable General Terms and Conditions.

TYPE OR PRINT NAME	TITLE	DATE
ADDRESS *(number, street, city, State, and ZIP code)*	SIGNATURE	

SECTION VI - STATEMENT OF ASSURANCES

The applicant hereby assures the Assistant Secretary that:

1. The applicant is not reasonably able to provide, out of non-Federal sources, the assistance for which this application is made.

2. Funds made available to the applicant under the Act will be so used (1) as to supplement and, to the extent practicable, increase the level of funds that would, in the absence of funds under the Act, be available from non-Federal sources for the purposes of the program for which assistance is sought, for promoting the integration of the schools of the applicant, and for the education of children participating in the proposed program, project, or activity and (2) in no case, as to supplant such funds from non-Federal sources.

Attach an itemized list of all funds from non-Federal sources used for purposes of the Act or for promoting integration anywhere in the school system for the fiscal year or years for which assistance is sought and for the two fiscal years immediately preceding the first year for which assistance is sought. (See Instructions)

3. Funds paid to the applicant under this application will be used solely to pay the additional cost to the applicant in carrying out the program, project, or activity described in the application, and that the funds requested in the application represent the additional cost to the applicant arising out of activities authorized under the Act, above that of the activities normally carried out by the applicant.

4. Funds made available under any other law of the United States will be used in coordination with funds made available under the Act, to the extent consistent with such other law.

Attach a statement of procedures employed by the applicant to coordinate its proposed program, project, or activity under the Act with projects conducted pursuant to Titles I, III, and VII of the Elementary and Secondary Education Act of 1965 and Title IV of the Civil Rights Act of 1964.

5. The program for which assistance is sought will be administered by the applicant, and any funds received by the applicant under such application, and any property derived therefrom, will remain under the administration and control of the applicant.

6. The applicant has not reduced its fiscal effort for the provision of free public education for children in attendance at its schools for the fiscal year or years for which assistance is sought under the Act to less than that of the second preceding fiscal year, and the current expenditure per pupil which the applicant makes from revenues derived from its local sources for the fiscal year or years for which assistance under the Act will be made available to the applicant is not less than such expenditure per pupil which the applicant made from such revenues for the fiscal year preceding the fiscal year during which the applicant began implementation of the plan with respect to which assistance is sought under the Act, or the third fiscal year preceding the first fiscal year for which assistance will be made available under the Act, whichever is later.

Attach statement of total local revenues available for expenditure, the tax rate applied by the responsible governmental unit for the fiscal year for which assistance is sought and for the second preceding fiscal year, and of the current expenditure per pupil from revenues derived from local sources for the first fiscal year for which assistance is sought, the fiscal year preceding the fiscal year during which the agency began implementation of its plan, and the third fiscal year preceding the first fiscal year for which assistance is sought. (See Instructions)

7. The applicant will carry out, and comply with, all provisions, terms, and conditions of any plan, program, project, or activity upon which a determination of its eligibility for assistance under the Act is based.

8. The applicant has established a district-wide advisory committee pursuant to 45 CFR §185.41(a) at least 15 days prior to submission of this application. In connection with the establishment of such committee, the applicant has furnished to each member of such committee a copy of the applicable statute and regulations. The names of the members of such committee and a statement of the purpose of such committee have been published in a newspaper of general circulation or otherwise made public at least 5 days prior to the public hearing required by 45 CFR §185.41(b).

9. The applicant has consulted with the district-wide advisory committee formed pursuant to 45 CFR §185.41(a) in identifying problems and assessing the needs to be addressed by this application.

10. The applicant has afforded its district-wide advisory committee established pursuant to 45 CFR §185.41(a) reasonable opportunity (not less than 10 days) to review and comment upon the application.

Attach comments of such committee concerning *the application.*

11. The applicant has developed this application in open consultation with parents, teachers, and (where a proposed program, project, or activity will affect the secondary school(s)) secondary school students, including but not limited to the members of the district-wide advisory committee formed pursuant to 45 CFR § 185.41(a), and has held at least one open, public hearing, at which such persons were afforded a full opportunity to understand the program, project, or activity for which assistance is being sought and to offer recommendations thereon. Such hearing was held no less than 7 days prior to submission of this application and was advertised in a newspaper of general circulation or otherwise made public not less than 5 days prior to the date of such hearing.

a. Attach evidence of public notice of such hearing, including the date of such notice.

b. Attach a copy of the minutes of such hearing.

12. The applicant will consult at least once a month with its district-wide advisory committee established pursuant to 45 CFR § 185.41 (a) in formal meetings of such committee, with respect to policy matters arising in the administration and operation of any project for which funds are made available under the Act, and it will provide such committee with a reasonable opportunity to periodically observe (upon prior and adequate notice to such agency at such time or times as such committee and agency may agree) and comment upon all project-related activities. Each such formal meeting will be open to the public and will be advertised in a newspaper of general circulation or otherwise made public not less than 5 days prior to the date of such meeting.

13. The applicant will establish student advisory committees pursuant to 45 CFR § 185.41 (h)(1) and, not more than 20 days after approval of this application, will publish the names of the members of such committees and a statement of the purpose of such committees in a newspaper of general circulation, or a student newspaper, or otherwise make public such information. Not more than 30 days after approval of this application, the applicant will submit to the Assistant Secretary a list of student advisory committee members (by name, race and school attended), a statement of the method of selection of such members, and evidence of publication of the names of such committee members and of a statement of the purpose of such committees, including the date of such publication.

14. Representatives of the agency will periodically consult with student advisory committees established pursuant to 45 CFR § 185.41 (h)(1) concerning matters relevant to the program, project, or activity, and copies of the applicable statute and regulations and the agency's approved project proposal will be supplied to all members of such committees.

15. In the case of project activities primarily directed to minority group children, to the extent consistent with the number of minority group children in the area to be served who are enrolled in nonpublic nonprofit elementary and secondary schools (which are operated in a manner free from discrimination on the basis of race, color, or national origin, and which do not serve as alternatives for children seeking to avoid attendance in desegregated or integrated public schools), the participation of which children would assist in achieving the purposes of the Act, the applicant (after consultation with the appropriate nonpublic school officials) has made provision for the participation of such children on an equitable basis. In the case of project activities directed to minority and nonminority group children, teachers, and other educational personnel, to the extent consistent with the number of children, teachers, and other educational staff in the school district of the applicant enrolled or employed in nonpublic nonprofit elementary and secondary schools (which are operated in a manner free from discrimination on the basis of race, color, or national origin, and which do not serve as alternatives for children seeking to avoid attendance in desegregated or integrated public schools), the participation of which children, teachers, and other educational staff would assist in achieving the purposes of the Act, or in the case of an application under Subpart F of the regulations, would assist in meeting the needs described in that subpart, the applicant (after consultation with the appropriate nonpublic school officials) has made provision for the participation of such children, teachers, and other educational staff on an equitable basis.

Attach list of faculty and total student enrollment, by race, for each nonpublic school participating in project. (See Instructions)

16. The applicant will submit such reports containing such information in such form as the Secretary or Assistant Secretary may require in order to carry out their functions under the Act, and the applicant will keep such records and afford such access thereto as will be necessary to assure the correctness of such reports and to verify them.

. The applicant will make available copies of reports and records referred to in 45 CFR § 185.13 (k)(1) to interested members of the public at no charge or at a charge not to exceed the cost to the applicant of making such copies available, and such reports and records shall be made available for inspection by interested members of the public at reasonable times and places.

18. The applicant is familiar with, and will comply with the provisions of, all applicable regulations, grant or contract terms, conditions and requirements.

19. No funds made available under the Act will be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance or to carry out a plan for racial desegregation, when the time or distance of travel is so great as to risk the health of the children involved or significantly impinge on the educational process of such children, or where the educational opportunities available at the school to which it is proposed that any such student be transported will be substantially inferior to those opportunities offered at the school to which such student would otherwise be assigned under a nondiscriminatory system of school assignments based on geographic zones established without discrimination on account of race, religion, color, or national origin.

20. The appropriate State educational agency has been given at least 15 days to offer recommendations to the applicant.

a. *State office or agency to which the proposed program or project has been submitted for recommendations.*

Date [illegible]

21. The applicant will cooperate with the Assistant Secretary, or any State educational agency, institution of higher education, or private organization, institution, or agency, including a committee established pursuant to 45 CFR § 185.41(a), in the evaluation by the Assistant Secretary or such agencies, institutions, or organizations of specific programs, projects or activities assisted under the Act.

22. The applicant has not engaged prior to the date of its application for assistance under the Act, and will not engage subsequent to such date, in any transfer of property or services to a discriminatory nonpublic school (including such schools or school systems in which students, faculty, or other educational staff services will be provided pursuant to 45 CFR § 185.42) in violation of 45 CFR § 185.43(a) (or if such a violation has occurred, application for a waiver of ineligibility has been made to the Secretary).

Attach a list of the names and addresses of all nonpublic schools or school systems (or any organization controlling, operating, or intending to establish such a school or school system) to which the applicant has transferred (directly or indirectly, by gift, lease, loan, sale, or any other means) any real or personal property or made available any services subsequent to June 23, 1972. (See Instructions)

23. The applicant has not had or maintained in effect prior to the date of its application for assistance under the Act, and will not have or maintain in effect subsequent to such date, any practice, policy, or procedure with respect to minority group personnel in violation of 45 CFR § 185.43(b) (or if such a violation has occurred, application for a waiver of ineligibility has been made to the Secretary).

Attach a statement of the number of principals, full-time classroom teachers, and athletics head coaches, by race, for the academic year immediately preceding (i) the year in which the applicant first implemented any portion of a plan for desegregation or reduction of minority group isolation in its schools pursuant to an order of a Federal or State court or administrative agency, or (ii) the year in which the applicant first implemented any portion of a plan described in 45 CFR § 185.11, whichever is earlier, and the number of athletics head coaches, by race, as of the date of the application. (See Instructions)

24. The applicant has not had or maintained in effect prior to the date of its application for assistance under the Act, and will not have or maintain in effect subsequent to such date, any procedure for assignment of children to classes in violation of 45 CFR § 185.43(c) (or if such a violation has occurred, application for a waiver of ineligibility has been made to the Secretary).

a. *Attach a statement of the total number of children assigned by the applicant as of the date of the application to all-minority or all-nonminority classes for more than 25 per centum of the school day classroom periods. (See Instructions)*

b. *Attach an educational justification or explanation for any such assignments.*

[illegible] The applicant has not had or maintained in effect prior to the date of its application for assistance under the Act, and will not have or maintain in effect subsequent to such date, any practice, policy, or procedure which results in discrimination against children in violation of 45 CFR § 185.43(d) (or, if such violation has occurred, application for a waiver of ineligibility has been made to the Secretary).

[illegible] of the enrollment [illegible] maintained by the applicant [illegible] date of its application [illegible] children [illegible] (See Instructions)

[illegible] number and percentage of students enrolled in the [illegible] grade of the applicant's schools [illegible] application whose [illegible] language is other than English. (See Instructions)

[illegible] If the number of children listed under [illegible] greater than [illegible], or if [illegible] attach the [illegible] for students enrolled in the [illegible] of the applicant's schools [illegible] grades for which such scores are available, as of the date of its application. (See Instructions)

26. The applicant will carry out and comply with the terms of the agreement upon which its waiver of ineligibility (if any) by the Secretary is based.

27. Where the proposed program, project or activity includes activities authorized under 45 CFR § 185.12(a)(3), the applicant will give preference in recruiting and hiring such teacher aides to parents of children attending schools directly affected by the plan, program, project, or activity upon which a determination for assistance under the Act is based.

28. Federal funds made available under the Act will not be used in connection with any sectarian activity or religious worship, or in connection with any part of a school or department of Divinity. The term "school or department of Divinity" means an institution or department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

TYPE OR PRINT NAME OF AUTHORIZED OFFICIAL	SIGNATURE OF AUTHORIZED OFFICIAL	DATE

EMERGENCY SCHOOL AID ACT
(P.L. 92-318)

INSTRUCTIONS FOR SUBMITTING PROJECT PROPOSALS UNDER THE EMERGENCY SCHOOL AID ACT
LOCAL EDUCATIONAL AGENCIES

U.S. Department of Health, Education, and Welfare
Office of Education

November 1972

Title VI of the Civil Rights Act of 1964 states that "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Title IX of the Education Amendments of 1972 states that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...."

I. Evidence of Plan for Which Assistance Is Being Sought

A copy of the plan for which assistance is sought must be submitted with the application. Types of plans include:

A. Order of a Federal or State court, or other State agency or responsible official, which requires desegregation or reduction in minority group isolation; or

B. Copy of a plan for desegregation approved by the Office for Civil Rights, with a copy of the letter of approval; or

C. Copy of the voluntary desegregation plan or plan to eliminate, reduce, or prevent minority group isolation that the district has implemented or will implement if assistance is made available to it under this Act. The school district must include the following:

1. A copy of a school board resolution or other evidence of final official action which approves the plan and agrees to its implementation; and

2. Evidence that notice of the content of the plan and the intention to implement it upon award of assistance has been published no later than 20 days prior to submission of this application in a newspaper that has general circulation in the area served by the school district.

II. Attached to the application must be the following tables that provide pupil enrollment data for the base school year and the project school year.

A. The base school year is defined as the school year immediately preceding the implementation of the district's current desegregation plan or plan to reduce minority group isolation. For a desegregation plan or plan to reduce minority group isolation to be current, the local educational agency must still be using the plan for the purpose of assigning some children. It is conceivable that other children may be assigned on the basis of a later desegregation or minority reduction plan. In effect, both plans are current but for the purposes of this application the local educational agency should select the date of the first plan implemented for determining the base school year.

B. The project school year is defined to be:

1. The current school year for those districts which have already implemented their plan and have not proposed additional desegregation or reduction of minority group isolation.

2. The school year immediately following the current school year for districts which are implementing either a new or an additional desegregation plan or plan to reduce minority group isolation.

There are two tables to be completed -- the base school year table and the project school year table. State the dates of the base school year and the project school year on each table. Sample data forms are provided on pages 3 and 4.

III. Submit an original and nine copies of the application to the regional office in your area.

A list of regional offices is included at the end of these instructions.

DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION BLANKS FOR EMERGENCY SCHOOL AID - LOCAL EDUCATIONAL AGENCIES

The application is a request for funds and must be certified by the Superintendent of Schools or the authorized official of the eligible sponsoring agency. This official is responsible for the accuracy and completeness of the information contained in the application.

Item 1. Enter the legal name of the local educational agency.

Item 8. If the county covers more than one Congressional district, include all Congressional districts.

Item 9. The contact person is that person designated by the applicant agency to serve as liaison in negotiating the request for Federal funds.

Item 11. Enter the amount of funds requested for each type of project and enter total funds requested. The types of projects listed are major components of the Emergency School Aid Act. Most districts will be applying for a basic grant. Be sure to check the regulations to determine your eligibility for the various types.

Section II - SCHOOL ENROLLMENT, MINORITY GROUP ISOLATION INFORMATION

Item 1. Enter the total number of minority students enrolled for the 1972-73 school year. Do not double count. For example, a Spanish-surnamed student who is also a Negro should not be counted twice. He may be included in either category. Enter the total minority enrollment, total nonminority enrollment, and total student enrollment in the appropriate boxes.

Item 2. Complete the table using the forms you completed in Part II (see page 1 of instructions).

A. State the base and project school year in Columns 2 and 3.

DATA FORM

Name of Applicant ______________________ State ______________________

Base School Year 19__

Col. 1 Name of School	Col. 2 Negro	Col. 3 American Indian	Col. 4 Spanish-Surnamed American	Col. 5 Portuguese	Col. 6 Oriental	Col. 7 Alaskan Natives	Col. 8 Hawaiian Natives	Col. 9 Non-Minority	Col. 1 Totals
TOTALS:									

NOTE: USE SEPARATE FORMS FOR EACH OF THE YEARS BEING REPORTED.

DATA FORM

ame of Applicant ______________________________ State ______________________________

Project School Year 19__

Col. 1 ame of School	Col. 2 Negro	Col. 3 American Indian	Col. 4 Spanish-Surnamed American	Col. 5 Portuguese	Col. 6 Oriental	Col. 7 Alaskan Natives	Col. 8 Hawaiian Natives	Col. 9 Non-Minority	Col. 10 Totals
OTALS:									

OTE: Use SEPARATE FORMS FOR EACH OF THE YEARS BEING REPORTED.

B. Column 1 is the range of minority enrollment percentages. For example, the first range is those schools whose enrollment is 95-100% minority. For the base and project school year (Columns 2 and 3), enter the total number of minority students enrolled in all schools in this percentage range. Repeat for each percentage range. For example, if in the base school year three schools had minority enrollments of 500, 600, and 800 students which constituted between 70-74.9% of the total enrollment of each school, the sum of the three enrollment figures, 1900, should be entered in the "Base School Year" column next to 70-74.9%. If in the project year two schools with minority enrollments of 400 and 900 which constituted between 70-74.9% of the school's total enrollment, enter 1300 in the "Project School Year" column.

C. Enter totals for Columns 2 and 3.

SECTION III - PROJECT(S) DESCRIPTION

General -- The project description will be evaluated utilizing the quality criteria rating guide, and applicants should make constant reference to this guide when completing this section of the application.

Item 1. Check the type(s) of project(s) described.

Item 2. Include only the number of students, teachers, and other educational staff in both the public and nonpublic schools that are participating in the project. This data must be separate for public schools and nonpublic schools. A table is required for each type of project.

Follow this format and attach to the application.

Public Schools - Basic Project

	Number of Participants							
	Students						Teachers	Other Educational Staff
School	Negro	Spanish-Surnamed	Am. Indian	Oriental	Other Minority	Non-Minority		

[illegible] this format for nonpublic school participation and repeat the process for [illegible] and bilingual projects if applicable.

Item 3. Describe how parents, students and other community members have been included in the development of the project, how they will be kept informed about the progress of the project, and how they will be involved in the activities proposed in the project. If you are applying for more than one type of project you should clearly indicate the involvement for each type.

Item 4. The regulations list the requirements which must be fulfilled in selection of the Advisory Committee members. Make sure that all of the information required in the Regulations is presented clearly in the list of Advisory Committee members.

Describe the composition the Advisory Committee using the following format:

Name	Address	Race or Ethnic Group	Organization Represented	Check if Student Directly Affected by Plan	Check if Parent of Student Directly Affected by Plan	Check if Classroom Teacher

Attach evidence of publication of:

A. Name of the district-wide advisory committee members.

B. A statement of the purpose of such committee.

C. Include date of such publication.

If the committee was formed pursuant to an order of a Federal or State court, so indicate.

Item 5. Describe how the advisory committees will be involved in the implementation of the project. If you are applying for more than one type of project you should clearly indicate the involvement for each type.

Item 6. This information applies to applications for bilingual projects only.

Item 7. Project Application

A. The development of the basic project application should be the result of these steps.

1. Begin by identifying needs which relate to the plan for which assistance is being sought.
2. Rank the needs in terms of priority.
3. Formulate specific, measurable objectives to meet each need.
4. Design activities to achieve each objective.
5. Design means to evaluate the success in meeting each objective.

Use the following format to describe your project. Type on separate sheets and attach to your application.

Type of project (check one)
Basic ______
Pilot ______
Bilingual ______

Need: ____
(If more than one need, place each on a separate sheet)

Priority Rank of Need (if more than one) ____________________

Supportive data to justify need

(1) Objectives	(2) Activities	(3) Evaluation

1. Under supportive data to justify need, present data that clearly justify and support the need in the form of community attitudinal surveys, incidents of racial disruption, test scores reflecting academic achievement, number of contacts made between students' homes and the school, or any other appropriate information. If data are voluminous, summarize here and attach supporting sheets.

2. In Column 1, list the first objective corresponding to the need.

3. In Column 2, describe the instructional nature of the activities which have been designed to achieve the objective. The description should be sufficient to allow a judgment of the value of the activities utilizing the quality criteria. The connection between the activities and the objectives should be readily apparent. Indicate an approximate dollar cost of the activity.

4. In Column 3, describe the method that will be used to evaluate the achievement of the objective. The timetable for data gathering and how it will be used in revising the project should be included.

5. Repeat steps 1-3 for each objective related to this need. Keep the activities directly opposite the objective to which they relate.

B. Use the same procedure for bilingual projects as is used for basic projects.

C. Use the same procedure for pilot projects as is used for basic projects, attaching this additional information.

   1. If this project is successful, how will it be replicated in other schools in the district?

   2. How will the project and the process be demonstrated to interested persons within and outside the district?

   3. How will information concerning the project be collected and organized to be available to other school districts?

Item 8. Present the schedule of the major events for the project in the format below. Attach to application.

SCHEDULE OF IMPLEMENTATION PLAN

Major Event	Starting Date	Completion Date
Recruiting of 20 reading teachers	July 1, 1973	Sept. 1, 1973

A major event is a complete step in carrying out the project, such as the example shown in the chart.

SECTION IV - BUDGET PREPARATION

Section IV of the application form contains a program activity budget outline which presents a summary of estimated costs stated in terms of general cost categories and activities. All figures should be rounded off to the nearest dollar.

Timely completion of successful budget negotiations and issuance of a grant award document will depend, in large part, upon the adequacy and clarity of the grantee's justification of individual cost items and amounts. This justification, which will take the form of explanatory statements and computations appended to the Budget Outline (Sec. IV), must cover negotiable line items of cost by activity and must be in sufficient detail to demonstrate clearly how the estimated cost for each line was derived. Applicants need not show detailed breakout on items with total costs under $100.

The cost categories listed along the top of the Budget Outline are taken from Handbook II, Financial Accounting for Local and State School Systems (OE-22017.) Applicants are advised to refer to Handbook II in developing their budget breakouts. The ten activities listed along the left-hand side of the Budget Outline are the program areas authorized in the regulations. The figures in the column headed "Total Federal Funds Requested" will represent all costs for the appropriate activity area. That is, these totals will be the sum of all costs under the Handbook II cost categories. Each of the ten activities along the left-hand side of the Budget Outline for which funds are being requested should have a separate breakout of the expenditures in the various cost categories. Those accounts that have expenditures falling in more than one program activity should prorate the costs. Detailed breakouts should be provided for each cost category. These breakouts should include as a minimum a title or subject, a number of units, a unit cost and a total cost.

Below are two examples of format for cost breakout:

Activity - Special Remedial Services (1) Series 200 Instruction

Acc #	Title or Position	No. of Persons	Hourly or Annual Rate	% of Time This Activity	# of Months	Total Cost
213	Reading Instructor	1	$8000 per year	25	6	$1000

Acc #	Item	No. of Units	Cost/Unit	Total Cost
220	Reading Book	100	$3.50	$350

SECTION V - CERTIFICATION OF ACCOUNTING SYSTEM

Be sure to complete and sign the certification of accounting system form.

(Continued on next page)

SECTION VI - ASSURANCES

General -- The assurances in Section VI must be reviewed and signed by the superintendent or other authorized official of the local educational agency in the space provided. Indicate at the top of each attachment the item number to which the attachment refers and the heading. All attachments required by the assurances should be attached in the order in which they appear in Section VI.

Item 2. Non-Federal Resources For Purposes of the Act

Use the following format to itemize district's non-Federal resources. List beside each activity the amount of all non-Federal funds being spent in that activity for the purposes of the Act or to promote integration anywhere in the school system. Information is to be included for the fiscal year for which assistance is sought and the two fiscal years immediately preceding. If the assistance sought is for the coming fiscal year and the budget has not been approved, projected figures should be used. Example: If the application is for fiscal year 1974 (1973-74 school year), then the information should be presented for fiscal years 1974, 1973 and 1972. Prepare a separate format for each fiscal year.

Fiscal Year 19___

Activity	Amount of Funds	Activity	Amount of Funds
Special Remedial Services		Innovative Interracial Programs	
Staff Training		Community Activities	
Guidance and Counseling Services		Administrative and Auxiliary Services	
Curriculum Development		Planning and Evaluation	
Career Education Programs		Facility Repair	

Item 4. Be sure to attach required information.

Item 6. Total Local Revenues, Tax Rate, and Expenditure per Pupil

A. Use the format shown in Table I to show total local revenues and the tax rate for the applicable fiscal years.

B. Use the format shown in Table II to show expenditure per pupil from local revenues for the applicable fiscal years. See regulations for definition -45 CFR § 185.13(i)

C. Information is to be provided for the following fiscal years:

Table I (Total Local Revenue and Tax Rate)

1. Fiscal year for which assistance is sought
2. Second preceding fiscal year

Table II (Expenditure per Pupil)

1. Fiscal year for which assistance is sought
2. Fiscal year preceding fiscal year in which district began implementing plan for which assistance is sought
3. Third fiscal year preceding the fiscal year for which assistance is sought

Example: If the fiscal year for which assistance is sought is 1974, then indicate the total local revenue and the tax rate for fiscal years 1974 and 1972 in Table I; if district began implementation of its plan in 1970, then indicate the expenditure per pupil (from local revenues only) for fiscal years 1974, 1969, and 1971 in Table II.

D. State fiscal year on Tables where applicable.

Table I - Total Local Revenues and Tax Rate

Fiscal Year	Total Local Revenues	Tax Rate
1. 19___		
2. 19___		

Table II - Expenditure Per Pupil

Fiscal year during which plan first implemented 19 _____	
Fiscal year	Expenditure Per Pupil
1. 19 _____	
2. 19 _____	
3. 19 _____	

Items 10-11. Be sure to attach required information

Item 13. Student Advisory Committee Information

Use the following format to supply data on the advisory committee membership. This information, evidence of publication of the names of committee members, and evidence of publication of a statement of the purpose of such committees, including date of publication, should be submitted to the appropriate Regional Commissioner within 30 days of project approval.

NAME	RACE	SCHOOL	METHOD OF SELECTION
1.			
2.			
3.			

Item 15. Nonpublic School Enrollment Information

Use the following format for listing, by race, faculty and total student enrollment of each nonpublic school participating in project.

Name and Address of Nonpublic School ________________________________

TOTAL ENROLLMENT AND FACULTY BY RACE

	Negro	American Indian	Spanish-Surnamed	Portuguese	Oriental	Hawaiian Native	Alaskan Native	Non-Minority	Total Enroll
Faculty									
Student									

Item 20. Complete data required on application.

Item 22. Transactions with Nonpublic Schools

Use the following format for listing your district's transactions with nonpublic schools since June 23, 1972. This listing must include any gift, lease, loan, sale or other transfer of property or services to any nonpublic school, school system or organization operating or intending to establish such a school or school system.

Nonpublic School and Address	Date of Transaction	Description of Property or Services	Compensation Received by School District

Item 23. Number of Principals, Full-time Classroom Teachers and Head Coaches for Athletics

a. Use the following format for listing, by race, the number of principals, full-time classroom teachers, and head coaches for athletics employed by your district for the academic year immediately preceding implementation of any portion of the district's earliest plan (Federal or State court order, administrative agency order, or other plan to desegregate or reduce minority group isolation).

Example: If the district began implementation of a plan pursuant to an order of a Federal or State court or administrative agency during the 1965-66 school year, although the plan upon which the district bases its eligibility for assistance was implemented during the 1970-71 school year, the number of principals, full-time classroom teachers, and head coaches for athletics employed by the district for the 1964-65 school year should be entered on the chart.

19__ (Enter year for which data is being reported)

	Negro	American Indian	Spanish-Surnamed American	Portuguese	Oriental	Hawaiian Native	Alaskan Native	Minority	Total
Principals									
Full-time Classroom Teachers									
Athletic Head Coaches									

b. Use the above format for listing, by race, the number of head coaches for athletics as of the date of the application.

Item 24. Number of children in all-minority or all-nonminority classes

a. Use the following format for listing total number of children assigned by district to all-minority or all-nonminority classes for more than 25% of the school day. Do not include students in 100% minority or 100% nonminority schools.

No. of children in All-Minority Classes	No. of Children in All-Nonminority Classes	Total

b. If the above chart indicates that the district has assigned children to all-minority or all-nonminority classes for more than 25% of the school day, attach an educational justification or explanation of such assignments. (See 45 CFR § 185.43(c).)

Item 25. a. Number of students in special classes for children with learning disabilities

Use the following format for supplying district's enrollment, by race, in classes for the mentally retarded or for children with other learning disabilities. Information should be current as of the date of the application. Use a separate format for each classification of disability.

Classification of Disability ________________

	Non-Minority	Negro	American Indian	Spanish-Surnamed	Portuguese	Oriental	Alaskan Native	Hawaiian Native	Total
Number of Children									

b. Number and percentage of students whose primary home language is other than English.

1) Use the following format for supplying the number and percentage of students enrolled in the first grade in your district whose primary home language is other than English. Information should be current as of the date of the application.

Number of First Grade Children whose Primary Home Language is other than English	Percentage of First Grade Children whose Primary Home Language is other than English

2) State method by which home language was determined.

c. If the number of children listed in item 25 (b) is more than 100 or if the percentage listed is more than 5 percent, use the following format for supplying the averages of the most recent standardized reading achievement scores, by race or ethnic group, for students enrolled in the third and sixth grades in the district, or the nearest two grades for which such scores are available. Prepare a separate chart for each of the two grades. Indicate the name of the standardized reading achievement test used and the date administered in the appropriate spaces.

Enter Grade ___________

Race or Ethnic Group	Average Score	Translate average score to equivalent age or grade level
Negro		
American Indian		
Spanish-Surnamed American		
Portuguese		
Oriental		
Alaskan Native		
Hawaiian Native		
Nonminority		

Name of Test and Series ______________________ Date Administered ______

REGIONAL OFFICES OF EDUCATION

REGION I - Boston (Connecticut, Maine, Massachusetts, New Hampshire,
Rhode Island and Vermont)
Mr. Theodore Parker ----------- 617/223-4543
Senior Program Officer
U.S. Office of Education
Equal Educational Opportunities
John Fitzgerald Kennedy Federal Bldg.
Government Center
Boston, Massachusetts 02203

REGION II - New York City (New York, New Jersey, Puerto Rico and Virgin
Islands)
Mr. Jack Simms ----------- 212/264-4420
Senior Program Officer
U.S. Office of Education
Equal Educational Opportunities
Federal Building
26 Federal Plaza
New York, New York 10007

REGION III - Philadelphia (Delaware, District of Columbia, Maryland,
Pennsylvania, Virginia and West Virginia)
Mr. Edward Cooper ----------- 215/597-9021
Senior Program Officer
U.S. Office of Education
Equal Educational Opportunities
401 North Broad Street
Philadelphia, Pennsylvania 19108

REGION IV - Atlanta (Alabama, Florida, Georgia, Kentucky, Mississippi,
North Carolina, South Carolina and Tennessee)
Dr. John Lovegrove ----------- 404/526-3076
Senior Program Officer
U.S. Office of Education
Equal Educational Opportunities
50-7th Street, N.E., Room 550
Atlanta, Georgia 30323

REGION V - Chicago (Illinois, Indiana, Minnesota, Michigan, Ohio and
Wisconsin)
Dr. Morris Osburn ----------- 312/353-7200
Senior Program Officer
U.S. Office of Education
Equal Educational Opportunities
300 South Wacker Drive, 32nd Floor
Chicago, Illinois 60606

REGION VI - Dallas (Arkansas, Louisiana, New Mexico, Oklahoma and Texas)
Mr. Thomas Kendrick ----------- 214/749-3084
Senior Program Officer
U.S. Office of Education
Equal Educational Opportunities
1114 Commerce Street
Dallas, Texas 75202

REGION VII - Kansas City (Iowa, Kansas, Missouri and Nebraska)
Mr. Robert Farning ----------- 816/374-5041
Senior Program Officer
U.S. Office of Education
Equal Educational Opportunities
Federal Office Building
601 East 12th Street
Kansas City, Missouri 64106

REGION VIII - Denver (Colorado, Montana, North Dakota, South Dakota,
Utah and Wyoming)
Mr. Albert Macias ----------- 303/837-4844
Senior Program Officer
U.S. Office of Education
Equal Educational Opportunities
1961 Stout Street
Denver, Colorado 80202

REGION IX - San Francisco (Arizona, California, Hawaii and Nevada)
Mr. Alfredo J. Villa ----------- 415/556-7750
Senior Program Officer
U.S. Office of Education
Equal Educational Opportunities
50 Fulton Street
San Francisco, California 94102

REGION X - Seattle (Alaska, Idaho, Oregon and Washington)
Dr. John C. Molina ----------- 206/442-0450
Director of School Systems
U.S. Office of Education
Equal Educational Opportunities
Arcade Building
1319 Second Avenue
Seattle, Washington 98101

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

O.M.B. NO. 51-R0951
APPROVAL EXPIRES 6/30/73

Page 1 of 9 Pages

APPLICATION FOR ASSISTANCE UNDER THE EMERGENCY SCHOOL AID ACT

NONPROFIT GROUP

FOR U.S.O.E. USE ONLY

PROJECT NUMBER

GRANT NUMBER

SECTION I - APPLICANT INFORMATION

1. NAME OF APPLICANT ORGANIZATION

2. TELEPHONE AREA CODE NUMBER

3. ADDRESS - NUMBER AND STREET

4. CITY

5. STATE

6. ZIP CODE

7. COUNTY

8. CONGRESSIONAL DISTRICT

9. NAME OF AGENCY CONTACT PERSON

10. TELEPHONE AREA CODE NUMBER

11. FEDERAL FUNDS REQUESTED

12. PERIOD OF PROPOSED PROJECT	STARTING DATE			ENDING DATE		
	MONTH	DAY	YEAR	MONTH	DAY	YEAR

13. PRINT OR TYPE NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

14. SIGNATURE OF AUTHORIZED REPRESENTATIVE

15. DATE

16. IF THIS APPLICATION REPRESENTS A JOINT EFFORT AMONG SEVERAL NONPROFIT GROUPS, LIST THE GROUPS PARTICIPATING IN THE PROPOSED PROJECT

SECTION II - REVIEW BY THE LOCAL EDUCATIONAL AGENCY

1. THIS APPLICATION FOR EMERGENCY SCHOOL AID HAS BEEN REVIEWED BY A DESIGNATED REPRESENTATIVE OF THE LOCAL EDUCATIONAL AGENCY

☐ NO COMMENT ☐ COMMENTS ATTACHED DATE COMMENTS REQUESTED ____________

2. PRINT OR TYPE NAME AND TITLE OF LEA REPRESENTATIVE

3. SIGNATURE OF REPRESENTATIVE

4. DATE

5. NAME OF LOCAL EDUCATIONAL AGENCY

6. ADDRESS *(include ZIP code)*

7. TELEPLONE AREA CODE NUMBER

8. HAS THIS LOCAL EDUCATIONAL AGENCY APPLIED FOR A GRANT UNDER THE EMERGENCY SCHOOL AID ACT, OR IS IT IN THE PROCESS OF APPLYING FOR A GRANT IN THE SAME BATCH IN WHICH YOU ARE MAKING APPLICATION?

☐ YES ☐ NO *(If "NO," see instructions for additional information required.)*

9. SUBMIT ONE COPY OF THE LOCAL EDUCATIONAL AGENCY'S PLAN WHICH THIS APPLICATION PROPOSES TO SUPPORT.

SUBMIT THIS APPLICATION IN 10 COPIES. SIGN ORIGINAL ONLY.

OE FORM 116, 11/72

SECTION III - ADVISORY COMMITTEE

Page 2 of 9 Pages

1. USING THE FORMAT SHOWN IN THE INSTRUCTIONS, DESCRIBE THE COMPOSITION OF THE ADVISORY COMMITTEE

2. WHAT FUNCTIONS, IN ADDITION TO THOSE CALLED FOR IN THE REGULATIONS, WILL THE ADVISORY COMMITTEE PERFORM?

3. WHAT IS THE RELATIONSHIP BETWEEN THIS COMMITTEE AND THE ADVISORY COMMITTEE ESTABLISHED BY THE LOCAL EDUCATIONAL AGENCY? *(Answer only if the LEA is applying for an ESAA Grant)*

4. ATTACH COMMENTS OF THE ADVISORY COMMITTEE TO THIS APPLICATION

SECTION IV - PROJECT DESCRIPTION

NAME OF APPLICANT ORGANIZATION

1. WHAT EFFORTS HAVE BEEN MADE TO ACHIEVE COORDINATION BETWEEN THIS ORGANIZATION AND THE LOCAL EDUCATIONAL AGENCY? WHAT WERE THE RESULTS OF THOSE EFFORTS?

2. HOW DO THE PROPOSED ACTIVITIES COMPLEMENT PROGRAMS NOW BEING CONDUCTED BY THE LOCAL EDUCATIONAL AGENCY?

3. WHICH, IF ANY, OTHER ORGANIZATIONS IN THE COMMUNITY ARE ENGAGED IN ACTIVITIES SIMILAR TO THOSE PROPOSED IN THIS APPLICATION? IF SIMILAR ACTIVITIES ARE BEING CONDUCTED, WHAT EFFORTS HAVE BEEN MADE TO ACHIEVE COORDINATION? DESCRIBE THOSE EFFORTS, IF ANY.

SECTION IV - PROJECT DESCRIPTION *(Continued)*

4. HOW HAVE PARENTS, STUDENTS, AND OTHER MEMBERS OF THE COMMUNITY BEEN INVOLVED IN THE DEVELOPMENT OF THIS APPLICATION.

5. BRIEFLY DESCRIBE THE ORGANIZATION'S RELEVANT EXPERIENCE AND THE RELEVANT EXPERIENCES OF INDIVIDUALS ASSOCIATED WITH THE ORGANIZATION IN THE AREA OF SCHOOL DESEGREGATION AND HUMAN RELATIONS.

6. HOW WILL PARENTS, STUDENTS, AND OTHER MEMBERS OF THE COMMUNITY BE ENCOURAGED TO PARTICIPATE IN THE PROJECT ACTIVITIES?

7. ESTIMATE THE NUMBER OF PERSONS WHO WILL PARTICIPATE IN THE PROPOSED PROJECT.	Students	
	Parents	
	OTHER *(Specify)*	

SECTION IV - PROJECT DESCRIPTION *(Continued)*	Page 5 of 9 Pages

NAME OF APPLICANT ORGANIZATION

8. CHECK THE APPROPRIATE BOXES TO INDICATE IN WHAT AREAS PROJECT ACTIVITIES ARE PROPOSED

☐ COMMUNITY INFORMATION PROGRAMS
☐ HOME-FOCUSED PROGRAMS
☐ CULTURAL ENRICHMENT ACTIVITIES
☐ INTERRACIAL SOCIAL AND RECREATIONAL PROGRAMS
☐ INTERRACIAL EDUCATIONAL ENRICHMENT PROGRAMS
☐ CAREER ORIENTATION ACTIVITIES
☐ DROPOUT PREVENTION PROGRAMS
☐ SUPPLEMENTAL REMEDIAL SERVICES
☐ OTHER *(Specify)*

9. DESCRIBE YOUR PROJECT ACCORDING TO THE SPECIFIC NEEDS WHICH WILL BE MET. USE A SEPARATE SHEET FOR EACH NEED. FOLLOW THE FORMAT SHOWN IN THE INSTRUCTIONS

10. ATTACH A SCHEDULE OF THE MAJOR EVENTS WHICH WILL BE COMPLETED IN IMPLEMENTING THE PROJECT. USE THE FORMAT SHOWN IN THE INSTRUCTIONS

11. BRIEFLY DESCRIBE THE ADMINISTRATIVE POLICIES TO BE USED IN THE IMPLEMENTATION OF THIS PROJECT. *(Limit to no more than 3 pages)*

- DESCRIBE THE PROCEDURES WHICH WILL BE FOLLOWED IN RECRUITING, HIRING, AND TRAINING STAFF MEMBERS. PRESENT ALSO THE GENERAL PERSONNEL POLICIES TO BE USED, INCLUDING QUALIFICATIONS TO BE REQUIRED FOR EMPLOYMENT
- DESCRIBE THE LOGISTICAL ARRANGEMENTS WHICH HAVE BEEN MADE, INCLUDING THOSE FOR FACILITIES
- PRESENT ALSO ANY OTHER ADMINISTRATIVE POLICIES OF YOUR ORGANIZATION WHICH ARE RELEVANT TO THIS PROJECT

SECTION V - BUDGET

1. COMPLETE THE FOLLOWING BUDGET ITEMIZATION

CATEGORY	AMOUNT
a. EMPLOYEE SALARIES	$
b. EMPLOYEE FRINGE BENEFITS	
c. TRAVEL AND PER DIEM	
d. FACILITIES RENTAL	
e. EQUIPMENT PURCHASE	
f. CONTRACTED SERVICES	
g. OTHER COSTS	
TOTAL FEDERAL FUNDS REQUESTED	$

2. ATTACH A DETAILED BREAKDOWN OF THE PROPOSED BUDGET

SECTION VI - CERTIFICATION OF ACCOUNTING SYSTEM

I am a certified *(or duly licensed)* Public Accountant and have been engaged to examine and report

on the accounting system of ______________________________
(Name of Applicant Organization)

I have reviewed this agency's accounting system and I hereby certify that, in my opinion, it includes internal controls adequate to safeguard its assets, check the accuracy and reliability of its accounting data, promote operating efficiency, and encourage compliance with accepted management policies and fiscal requirements.

TYPE OR PRINT NAME

TITLE

DATE

ADDRESS (Number, Street, City, State, and ZIP code)

SIGNATURE

The applicant hereby assures the Assistant Secretary that:

1. Funds made available under the Act will be so used (i) as to supplement and, to the extent practicable, increase the level of funds that would, in the absence of funds under the Act, be available from non-Federal sources for the purposes of the program for which assistance is sought, and (ii) in no case, as to supplant such funds from non-Federal sources.

2. The appropriate local educational agency has been given at least 15 days to offer recommendations to the applicant with respect to such application and to submit comments to the Assistant Secretary.

3. The applicant is not reasonably able to provide, out of non-Federal sources, the assistance for which such application is made.

4. Funds paid to the applicant under such application will be used solely to pay the additional cost to the applicant of carrying out the program, project, or activity described in the application, and the funds requested in the application represent the additional cost to the applicant arising out of activities authorized under the Act, above that of the activities normally carried out by the applicant.

5. Funds made available under any other law of the United States will be used in coordination with funds made available under the Act, to the extent consistent with such other law.

6. The program for which assistance is sought will be administered by the applicant, and any funds received by the applicant under such application, and any property derived therefrom, will remain under the administration and control of the applicant.

7. The applicant will submit such reports containing such information in such form as the Secretary or Assistant Secretary may require in order to carry out their functions, and the applicant will keep such records and afford such access thereto as will be necessary to assure the correctness of such reports and to verify them.

8. The applicant will make available copies of reports and records referred to in 45 CFR §185.13(k)(1)(i) and (ii) to interested members of the public at no charge or at a charge not to exceed the cost to the applicant of making such copies available, and such reports and records shall be available for inspection by interested members of the public at reasonable times and places.

9. The applicant is familiar with, and will comply with the provisions of, all applicable regulations, grant or contract terms, conditions and requirements.

10. The applicant will cooperate with the Assistant Secretary or any State educational agency, institution of higher education, or private organization, institution, or agency, including a committee established pursuant to 45 CFR §185.65(a), in the evaluation by the Assistant Secretary or such agencies, institutions, or organizations of specific programs, projects, or activities assisted under the Act.

11. The applicant has established a district-wide advisory committee pursuant to 45 CFR §185.65(a) at least 15 days prior to submission of this application. In connection with the establishment of such committee, the applicant has furnished to each member a copy of the applicable statute and regulations. The names of the members of such committee and a statement of the purpose of such committee have been published in a newspaper of general circulation or otherwise made public.

Attach a list of the members of the district-wide advisory committee. Include the following information for each member: name, address, race, organization by whom selected, and indicate whether the members are parents or students. Attach evidence of publication of the names of the district-wide committee and of a statement of the purpose of such committee, including the date of such publication.

12. The applicant has consulted with the district-wide advisory committee formed pursuant to 45 CFR §185.65(a) in identifying problems and assessing the needs to be addressed by such application.

13. The applicant has afforded its district-wide advisory committee established pursuant to 45 CFR §185.65(a) reasonable opportunity (not less than 10 days) to review and comment upon such application.

Attach comments of such committee concerning such application.

14. The applicant will consult at least once a month with its district-wide advisory committee formed pursuant to 45 CFR §185.65(a) (in formal meetings of such committee) with respect to policy matters arising in the administration and operation of any project for which funds are made available under the Act, and it will provide such committee with a reasonable

opportunity to periodically observe and comment upon all project-related activities.

15. Federal funds made available under the Act will not be used in connection with any sectarian activity or religious worship, or in connection with any part of a school or department of Divinity. The term "school or department of Divinity" means an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

16. The applicant is a public or a private nonprofit agency, institution, or organization (not a local educational agency).

17. If the applicant is a private nonprofit agency, institution, or organization attach a copy of the charter, by-laws, or other legal documents indicating the nature and purpose of the applicant, together with evidence of nonprofit status [illegible]

Type or Print Name of Authorized Official	Signature of Authorized Official	Date

ASSURANCE OF COMPLIANCE WITH THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE REGULATION UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

______________________________ (hereinafter called the "Applicant")
(Name of Applicant)

HEREBY AGREES THAT it will comply with title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Regulation of the Department of Health, Education, and Welfare (45 CFR Part 80) issued pursuant to that title, to the end that, in accordance with title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant by the Department, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Applicant for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Applicant for the period during which the Federal financial assistance is extended to it by the Department.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Applicant by the Department, including installment payments after such date on account of applications for Federal financial assistance which were approved before such date. The Applicant recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Applicant.

Dated ______________________

____
(Applicant)

By ______________________________
(President, Chairman of Boards, or comparable authorized official)

____

____
(Applicant's mailing address)

HEW-441
(12-64)

EMERGENCY SCHOOL AID ACT
(P.L. 92-318)

INSTRUCTIONS FOR SUBMITTING PROJECT PROPOSALS UNDER THE EMERGENCY SCHOOL AID ACT
NONPROFIT GROUPS

U.S. Department of Health, Education, and Welfare
Office of Education

November 1972

Title VI of the Civil Rights Act of 1964 states that "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Title IX of the Education Amendments of 1972 states that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...."

DETAILED INSTRUCTIONS FOR USE BY NONPROFIT GROUP IN COMPLETING APPLICATION FORM

The application form and the required attachments must be submitted in ten copies except that only one copy of the local educational agency's plan should be submitted. Applications should be mailed to the Regional Office of Education serving your State. A list of the ten Regional offices may be found at the end of these instructions.

Section I -- APPLICANT INFORMATION

Items 1 - 8. Enter the legal name of the applicant nonprofit group, telephone number, address, city, state, zip code, county in which applicant is located, and Congressional district. If the county covers more than one Congressional district, include all Congressional districts.

Items 9 -10. Enter the name and telephone number of agency contact person. The contact person is the individual designated by the applicant organization to serve as liaison in negotiating the request for Federal funds.

Items 11-12. Indicate the total Federal funds requested to carry out the proposed project along with the proposed beginning and ending dates for the project.

Items 13-15. Enter the name, title, signature, and signature date of the authorized official who is responsible for the accuracy and completeness of the information contained in the application.

Item 16. If the proposed project represents the joint effort of several nonprofit groups, list all the groups that participated in preparing the proposal and that will be directly involved in implementing the proposed project.

Section II -- REVIEW BY THE LOCAL EDUCATIONAL AGENCY

Items 1-7. An authorized representative of the local educational agency whose plan, program, or activity this project is intended to support must be given the opportunity to review and comment on the project proposed by the applicant. If the LEA refuses to comment, the nonprofit group should attach a concise statement of attempts to secure comment. Evidence would include copies of correspondence and other forms of communication.

Item 8. If the local educational agency is not applying for an ESAA grant, the nonprofit group must present data on student enrollment and minority group isolation in the local educational agency. If the LEA refuses to provide data to the nonprofit group, the nonprofit group should attach a concise statement of attempts to secure data. Evidence would include copies of correspondence and other forms of communication.

The data must be presented in four separate tables. The formats for each of the tables are shown below with instructions following each table.

TABLE I
(COMPLETE ONLY IF LEA IS NOT APPLYING)

CURRENT ENROLLMENT DATA									
Negro	American Indian	Spanish-Surnamed American	Portuguese	Oriental	Alaskan Native	Hawaiian Native	TOTAL MINORITY	NON-MINORITY	TOTAL ENROLL

This information should be current at the time that the application is submitted. It should represent the enrollment of the district as a whole. Be careful not to double count. For instance, Spanish-surnamed Negro students should not be counted as both Spanish-surnamed and Negro.

TABLE II
(COMPLETE ONLY IF LEA IS NOT APPLYING)

BASE SCHOOL YEAR 19___ ________

Col. 1 Name of School	Col.2 Negro	Col. 3 American Indian	Col. 4 Spanish-Surnamed American	Col. 5 Portuguese	Col. 6 Oriental	Col. 7 Alaskan Native	Col. 8 Hawaiian Native	Col. 9 Non-Minority	Col.10 TOTAL

In Column 1 list all the schools in the district as of the base school year. Next to each school, present the enrollment of each group of minority students in the school for the base year. The base school year is defined as the year immediately preceding the implementation of the district's current desegregation plan or plan to reduce minority group isolation. Indicate on the table what the base school year was.

TABLE III
(COMPLETE ONLY IF LEA IS NOT APPLYING)

PROJECT SCHOOL YEAR 19 ____________

Col. 1 Name of School	Col.2 Negro	Col. 3 American Indian	Col. 4 Spanish-Surnamed American	Col. 5 Portuguese	Col. 6 Oriental	Col. 7 Alaskan Native	Col. 8 Hawaiian Native	Col.9 Non-Minority	Col.10 TOTAL

As in Table II list all of the schools in the local education agency along with a minority group breakdown of each school's total enrollment for the project school year. The project year is the current school year, or, if the proposal is for a plan to be implemented, the project year is the first year of the implementation. If the latter definition applies to your proposal, the enrollment figures will have to be estimated. Indicate on the table what the project school year is.

TABLE IV
(COMPLETE ONLY IF LEA IS NOT APPLYING)

EXTENT OF MINORITY GROUP ISOLATION

Schools at Percent Minority Enrollment	Base School Year	Project School Year
95 - 100		
90 - 94.9		
85 - 89.9		
80 - 84.9		
75 - 79.9		
70 - 74.9		
65 - 69.9		
60 - 64.9		
55 - 59.9		
50 - 54.9		
0 - 49.9		

In Table IV present the total number of minority students in schools which enroll the indicated percentages of minority students. This information should be presented for both the base school year and the project school year. (These two years should be specified.) For example, if in the base year three schools had minority enrollments of 500, 600 and 800 students which constituted between 70-74.9 of the total enrollment of each school, the sum of the three minority enrollment figures, 1900, should be entered in the "Base School Year" column next to 70-74.9. If in the project year two schools had minority enrollments of 400 and 900 which constituted between 70-74.9% of the school's total enrollment, enter 1300 in the "Project School Year" column.

Item 9. One copy of the local educational agency's plan to desegregate or to reduce minority group isolation, or a complete description of the plan if no copy can be obtained, must be submitted with the application.

Section III -- ADVISORY COMMITTEE

Item 1. The Regulations list the requirements which must be fulfilled in selection of the Advisory Committee members. Make sure that all of the information required in the Regulations is presented clearly in the list of Advisory Committee members.

Describe the composition of the Advisory Committee using the following format:

Name	Address	Race or Ethnic Group	Organization Represented	Check if Student Directly Affected By Plan	Check if Parent of Student Directly Affected By Plan

Indicate clearly which member represents the LEA and which member represents the LEA's Advisory Committee, if applicable. Following the chart, make a brief statement concerning the types of experiences individual members have which would enhance the committee's effectiveness.

Items 2-3. In the evaluation of applications, credit is given if the Advisory Committee is fully utilized. The requested information should be presented clearly and succinctly.

Item 4. Be sure to attach Advisory Committee comments to the application.

Section IV -- PROJECT DESCRIPTION

Items 1-6. The information called for here will be used to evaluate, in part, the quality of the proposed project. Make sure that the forms of evidence called for in the Quality Criteria are utilized wherever appropriate.

Item 7. The figures requested here should reflect only the persons who will actually participate in project activities.

Item 8. Refer to the Regulations for definitions of each activity area. Check only the one or more that clearly describes your project.

Continued on next page

Item 9. The project description should be the result of the following developmental steps:

A. Begin by identifying needs relating to the plan which the group proposes to support.

B. Rank the needs in terms of priority.

C. Formulate specific, measurable objectives to meet each need.

D. Design activities to achieve each objective.

E. Design methods to evaluate the group's success in meeting each objective.

Use the following format to describe your project. Type each need on separate pages and attach to your application.

Need: ____
(If more than one need, place each on a separate page)

Priority Rank of Need (if more than one): ____________________

Supportive data to justify need:

(1) Objectives	(2) Activities	(3) Evaluation

A. Under supportive data to justify need, present data that clearly justify and support the need in the form of community attitudinal surveys, incidents of racial disruption, test scores reflecting academic achievement, number of contacts made between students' homes and the school, or any other appropriate information. If data are voluminous, summarize here and attach supporting sheets.

B. In Column 1, list the first objective corresponding to the need.

C. In Column 2, describe the nature of the activities which have been designed to achieve the objective. The description should be sufficient for a judgment of the activities to be made, based on the Quality Criteria. The connection between the activities and the objectives should be readily apparent. All funds requested in the budget should be clearly linked to the proposed activities. Indicate an approximate dollar cost of the activity at the end of the description.

D. In Column 3, describe the method that will be used to evaluate the achievement of the objective. The timetable for data gathering and how it will be used in revising the project should be included.

E. Repeat steps 1-3 for each objective. Keep the activities directly opposite the objective to which they relate.

Item 10. Present the schedule of major events for the project according to the format below. Attach to the application.

SCHEDULE OF IMPLEMENTATION PLAN

Major Event	Starting Date	Ending Date
Employment of ten community aides	July 1, 1973	Sept. 1, 1973

A major event is a complete step in carrying out the project, such as the example shown in the chart.

Item 11. The administrative policies presented here must be those which will be used to implement the project on a day-to-day basis. It should be clear that the applicant has anticipated problems which could arise and has developed procedures to prevent those problems from occurring. Only the policies and procedures relevant to this project should be included in this description. Attach to the application.

Section V - BUDGET

Items 1-2. Successful budget negotiations and issuance of a grant award document will depend, in large part, upon the adequacy and clarity of the justification of individual cost items and amounts. This justification, which will take the form of explanatory statements and computations appended to the Budget outline, must cover every negotiable line item of cost and must be in enough detail to demonstrate clearly how the estimated cost line was derived.

For Example:

A. Employee salaries

Title of Position	No. of Employees	Unit Salary Per Year	No. of Months	% of Time on Activities	Cost
Director	1	$12,000	10	100	$10,000
Home/School Coordinators	3	6,000	10	100	15,000
				Total Cost	$25,000

B. Employee fringe benefits

Title of Position	Benefit		Cost
Director	Health Insurance		$ 273
Director	Social Security Tax		468
		Total Cost	$ 741

C. Travel and per diem

Type of Travel	No. of Trips	Average Cost Per Trip	No. of People Traveling	Cost
Long Distance	3	$ 80	2	$ 480
Local Travel	20	5	6	600
			Total Cost	$1,080

D.-E. Break these items out in a format similar to that used in items A-C.

F. Contracted services--Because outside contracting tends to reduce the effectiveness of community-oriented programs, applicants are strongly discouraged from requesting funds for contracted services. Any such requests should be accompanied by the following information:

1. Name and location of firm:

2. Profit ☐ Nonprofit ☐

3. Number of days contractor will work: ____________

4. Cost of proposed contract: $____________

5. Description of any proposed contracts and supportive data on proposed contractors, if selected already. Note: No contract associated with an ESAA funded project may be considered valid unless the contract document itself is approved in advance in writing by the appropriate U.S.O.E. Grants Officer.

G. Other costs--Applicant must give budget breakdown on "Other Costs" category ONLY if the total of the category exceeds 3 of the total funds requested.

Section VI - CERTIFICATION OF ACCOUNTING SYSTEM

The form, Certification of Accounting System, must be signed by a certified public accountant or duly licensed public accountant who has reviewed and approved the bookkeeping system of the applicant organization.

Section VII - STATEMENT OF ASSURANCES

Item 2. If the local education agency submits comments on the proposal to the applicant, they must be attached to the application.

Item 11. The instructions for Section III, Item 1 of this application form present a format which should be used in listing the advisory committee members and pertinent information about them.

Proper evidence of such publication would be a copy of the newspaper article in which the names and the statement of purpose appeared, and the date the article was published.

Item 13. The comments of the advisory committee should be included with the application.

Item 16. The kinds of legal documents which are acceptable as evidence are listed in the Regulations. Proper evidence should be submitted with the application.

Page 1 of 8 Pages

OMB NO. 80-R0186

APPLICATION FOR FEDERAL ASSISTANCE
(NONCONSTRUCTION PROGRAMS)
PART I

1. STATE CLEARINGHOUSE IDENTIFIER

2. APPLICANT'S APPLICATION NUMBER

3. FEDERAL GRANTOR AGENCY

U.S. Office of Education

ORGANIZATIONAL UNIT

Bureau of Equal Educational Opportunity,
Special Projects Branch

ADMINISTRATIVE OFFICE

400 Maryland Avenue, SW

STREET ADDRESS - P.O. BOX

Washington	D.C.	20202
CITY	STATE	ZIP CODE

4. APPLICANT NAME

DEPARTMENT DIVISION

STREET ADDRESS - P.O. BOX

CITY COUNTY

STATE ZIP CODE

5. DESCRIPTIVE NAME OF THE PROJECT

6. FEDERAL CATALOG NUMBER

7. FEDERAL FUNDING REQUESTED

$

8. GRANTEE TYPE

____ STATE, ____ COUNTY, ____ CITY, X OTHER (Specify) Local Educational Agencies

9. TYPE OF APPLICATION OR REQUEST

X NEW GRANT, ____ CONTINUATION, ____ SUPPLEMENT, ____ OTHER CHANGES *(Specify)*

10. TYPE OF ASSISTANCE

X GRANT, ____ LOAN, ____ OTHER *(Specify)*

11. POPULATION DIRECTLY BENEFITING FROM THE PROJECT

13. LENGTH OF PROJECT

12. CONGRESSIONAL DISTRICT

a.

b.

14. BEGINNING DATE

15. DATE OF APPLICATION

16. THE APPLICANT CERTIFIES THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF THE DATA IN THIS APPLICATION ARE TRUE AND CORRECT, AND THAT HE WILL COMPLY WITH THE ATTACHED ASSURANCES IF HE RECEIVES THE GRANT.

TYPED NAME

TITLE

SIGNATURE OF AUTHORIZED REPRESENTATIVE

TELEPHONE NUMBER

AREA	NUMBER	EXTENSION

For Federal Use Only

HEW-608T

OMB NO. 80-R0186

PART II
PROJECT APPROVAL INFORMATION

ITEM 1.
Does this assistance request require State, local, regional, or other priority rating?

☐ Yes ☐ No

Name of Governing Body ______
Priority Rating ______

ITEM 2.
Does this assistance request require State, or local advisory, educational or health clearances?

☒ Yes ☐ No (Attach Documentation)

Name of Agency or Board ______

ITEM 3.
Does this assistance request require clearinghouse review in accordance with OMB Circular A-95?

☐ Yes ☒ No

(Attach Comments)

ITEM 4
Does this assistance request require State, local, regional, or other planning approval?

☐ Yes ☐ No

Name of Approving Agency ______
Date ______

ITEM 5
Is the proposed project covered by an approved comprehensive plan?

☐ Yes ☐ No

Check one:
☐ State
☐ Local
☐ Regional

Location of Plan ______

ITEM 6
Will the assistance requested serve a Federal installation?

☐ Yes ☐ No

Name of Federal Installation ______
Federal Population benefiting from Project ______

ITEM 7
Will the assistance requested be on Federal land or installation?

☐ Yes ☐ No

Name of Federal Installation ______
Location of Federal Land ______
Percent of Project ______

ITEM 8
Will the assistance requested have an impact or effect on the environment?

☐ Yes ☐ No

See instructions for additional information to be provided.

ITEM 9
Will the assistance requested cause the displacement of individuals, families, businesses, or farms?

☐ Yes ☐ No

Number of:
Individuals ______
Families ______
Businesses ______
Farms ______

ITEM 10
Is there other related assistance on this project previous, pending, or anticipated?

☐ Yes ☐ No

See instructions for additional information to be provided.

OMB NO. 80-R0186

PART III - BUDGET INFORMATION

SECTION A - BUDGET SUMMARY

GRANT PROGRAM, FUNCTION OR ACTIVITY (a)	FEDERAL CATALOG NO. (b)	ESTIMATED UNOBLIGATED FUNDS		NEW OR REVISED BUDGET		
		FEDERAL (c)	NON-FEDERAL (d)	FEDERAL (e)	NON-FEDERAL (f)	TOTAL (g)
1.		$	$	$	$	$
2.						
3.						
4.						
5. TOTALS		$	$	$	$	$

SECTION B - BUDGET CATEGORIES

6. OBJECT CLASS CATEGORIES	GRANT PROGRAM, FUNCTION OR ACTIVITY				TOTAL (5)
	(1)	(2)	(3)	(4)	
a. PERSONNEL	$	$	$	$	$
b. FRINGE BENEFITS					
c. TRAVEL					
d. EQUIPMENT					
e. SUPPLIES					
f. CONTRACTUAL					
g. CONSTRUCTION					
h. OTHER					
i. TOTAL DIRECT CHARGES					
j. INDIRECT CHARGES					
k. TOTALS	$	$	$	$	$
7. PROGRAM INCOME	$	$	$	$	$

SECTION C - NON-FEDERAL RESOURCES

(a) GRANT PROGRAM	*(b)* APPLICANT	*(c)* STATE	*(d)* OTHER SOURCES	*(e) TOTALS*
8.	$	$	$	$
9.				
10.				
11.				
12. *TOTALS*	$	$	$	$

SECTION D - FORECASTED CASH NEEDS

	TOTAL FOR 1ST YEAR	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER
13. FEDERAL	$	$	$	$	$
14. NON-FEDERAL					
15. *TOTALS*	$	$	$	$	$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) GRANT PROGRAM	FUTURE FUNDING PERIODS *(years)*			
	(b) FIRST	*(c)* SECOND	*(d)* THIRD	*(e)* FOURTH
16.	$	$	$	$
17.				
18.				
19.				
20. *TOTALS*	$	$	$	$

SECTION F - OTHER BUDGET INFORMATION *(attach additional sheets if necessary)*

PART IV - PROGRAM NARRATIVE *(attach per instructions)*

Part IV Program Narrative

Prepare the program narrative statement in accordance with the following outline.

I. Problems.

List the problems which the project will attempt to resolve.

II. Objectives, Activities, Resource Management, and Evaluation

For the narrative for Inter-district transfer projects, follow the outline found under ~~Quality Criteria~~, pp. 9-12, Metropolitan Area Projects (attached); for SMSA projects, pp. 16-18; for Education Parks, pp. 22-26.

Also include in your narrative for Inter-district transfer projects, information on how students to be transferred will be selected. For Education Park projects, Needs Assessment as described on p. 23 of the above attachment must also be included.

III. Geographic Location

Give fringe location of the project or area to be served by the proposed project. Maps or other geographic aids may be attached.

IV. Supplementary Information

Complete the attached Supplementary Information form for the particular program appropriate to your project.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

APPLICATION FOR ASSISTANCE FOR METROPOLITAN PROJECTS UNDER EMERGENCY SCHOOL AID ACT

O.M.B. NO. 51-R0962
APPROVAL EXPIRES: 6/30/73

Page 5a of 8 Pages

PART IV, NUMBER 4
SUPPLEMENTARY INFORMATION - INTERDISTRICT TRANSFER

1 CURRENT ENROLLMENT DATA - APPLICANT DISTRICT

NEGRO	SPANISH-SURNAMED	AMERICAN INDIAN	ORIENTAL	OTHER MINORITY	MINORITY TOTAL		NONMINORITY		TOTAL
					NUMBER	%	NUMBER	%	

2 CURRENT ENROLLMENT DATA - SENDING DISTRICT

NEGRO	SPANISH-SURNAMED	AMERICAN INDIAN	ORIENTAL	OTHER MINORITY	MINORITY TOTAL		NONMINORITY		TOTAL
					NUMBER	%	NUMBER	%	

3 REDUCTION IN MINORITY GROUP ISOLATION

SENDING SCHOOLS WITH THE FOLLOWING PERCENTAGES OF MINORITY STUDENTS (1)	NUMBER OF MINORITY STUDENTS TO BE TRANSFERRED (2)	WEIGHT FACTOR (3)	WEIGHTED NUMBER (4)	SENDING SCHOOLS WITH THE FOLLOWING PERCENTAGES OF MINORITY STUDENTS (1)	NUMBER OF MINORITY STUDENTS TO BE TRANSFERRED (2)	WEIGHT FACTOR (3)	WEIGHTED NUMBER (4)
95 - 100%		x 1.		65 - 69.9%		x 0.4	
90 - 94.9%		x 0.9		60 - 64.9%		x 0.3	
85 - 89.9%		x 0.8		55 - 59.9%		x 0.2	
80 - 84.9%		x 0.7		50 - 54.9%		x 0.1	
75 - 79.9%		x 0.6		TOTAL			
70 - 74.9%		x 0.5		▨	▨	▨	▨

4 ENTER THE STUDENT AND FACULTY RACIAL COMPOSITION OF EACH RECEIVING SCHOOL AFTER TRANSFER FOR EACH RECEIVING DISTRICT.

(use this format)

NAME OF DISTRICT

NAME OF SCHOOL		NEGRO	SPANISH-SURNAMED	AMERICAN INDIAN	ORIENTAL	OTHER MINORITY	MINORITY TOTAL		NONMINORITY		TOTAL
							NUMBER	%	NUMBER	%	
	STUDENTS										
	FACULTY										
	STUDENTS										
	FACULTY										
	STUDENTS										
	FACULTY										
	STUDENTS										
	FACULTY										
	STUDENTS										
	FACULTY										

5 ENTER THE TOTAL STUDENT ENROLLMENT, BY RACE, OF ALL DISTRICTS WITHIN THE SMSA	NEGRO	SPANISH-SURNAMED	AMERICAN INDIAN	ORIENTAL	OTHER MINORITY	MINORITY TOTAL		NONMINORITY		TOTAL	Page 5b of 8 Pages
						NUMBER	%	NUMBER	%		

6 DESCRIBE THE COMPOSITION OF THE ADVISORY COMMITTEE *(use this format)*

LAST NAME - FIRST NAME - MIDDLE INITIAL	ADDRESS *(include ZIP code)*	RACE OR ETHNIC GROUP	ORGANIZATION REPRESENTED	CHECK IF	
				PARENT OF STUDENT DIRECTLY AFFECTED BY PLAN	CLASSROOM TEACHER

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

APPLICATION FOR ASSISTANCE FOR METROPOLITAN PROJECTS UNDER EMERGENCY SCHOOL AID ACT

PART IV, NUMBER 4
SUPPLEMENTARY INFORMATION - SMSA PLANNING

O.M.B. NO. 51-R0962
APPROVAL EXPIRES 6/30/73

Page 5c of 8 Pages

1. CURRENT ENROLLMENT DATA	NEGRO	AMERICAN INDIAN	SPANISH-SURNAMED	PORTUGUESE	ORIENTAL	HAWAIIAN NATIVE	ALASKAN NATIVE	TOTAL MINORITY		NONMINORITY		TOTAL ENROLLMENT
								NUMBER	%	NUMBER	%	

2. NET REDUCTION IN MINORITY GROUP ISOLATION

NUMBER OF MINORITY GROUP STUDENTS ISOLATED ______ x ______ = ______
(*WEIGHT FACTOR) (NET REDUCTION)

3. DESCRIBE THE COMPOSITION OF THE ADVISORY COMMITTEE *(use this format)*

LAST NAME - FIRST NAME - MIDDLE INITIAL	ADDRESS *(include ZIP code)*	RACE OR ETHNIC GROUP	ORGANIZATION REPRESENTED	CHECK IF		
				STUDENT IN SMSA SCHOOLS	PARENT OF STUDENT IN SMSA SCHOOLS	CLASSROOM TEACHER

4. LIST ALL THE DISTRICTS IN THE SMSA WHICH HAVE APPROVED OF THIS APPLICATION. INCLUDE TOTAL ENROLLMENT FIGURES FOR EACH DISTRICT AND ATTACH SUPPORTIVE EVIDENCE OF APPROVAL AS PROVIDED IN THE REGULATIONS 45 185.31(d) (1) AND (2).

*The weight factor depends upon the percentage of minority in the SMSA, as follows:	PERCENTAGE OF MINORITY STUDENTS	WEIGHT	PERCENTAGE OF MINORITY STUDENTS	WEIGHT	PERCENTAGE OF MINORITY STUDENTS	WEIGHT	PERCENTAGE OF MINORITY STUDENTS	WEIGHT
	100 - 95	0.0	80 - 84.9	0.3	65 - 69.9	0.6	50 - 54.9	0.9
	90 - 94.9	0.1	75 - 79.9	0.4	60 - 64.9	0.7	Under 50	1.0
	85 - 89.9	0.2	70 - 74.9	0.5	55 - 59.9	0.8		

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

APPLICATION FOR ASSISTANCE FOR METROPOLITAN PROJECTS UNDER EMERGENCY SCHOOL AID ACT

PART IV, NUMBER 4
SUPPLEMENTARY INFORMATION - EDUCATION PARKS

O.M.B. NO. 51-R0962
APPROVAL EXPIRES 6/30/73

Page 5d of 8 Pages

	NEGRO	SPANISH-SURNAMED	AMERICAN INDIAN	ORIENTAL	OTHER MINORITY	MINORITY TOTAL		NONMINORITY		TOTAL
						NUMBER	%	NUMBER	%	
1. CURRENT SECONDARY SCHOOL ENROLLMENT DATA										

	NEGRO	SPANISH-SURNAMED	AMERICAN INDIAN	OTHER MINORITY	TOTAL
2. NO. OF MINORITY GROUP SECONDARY SCHOOL STUDENTS ATTENDING SCHOOLS WHICH ENROLL MORE THAN 50% MINORITY GROUP STUDENTS					

	ESTIMATED NUMBER
3. ESTIMATED NUMBER OF MINORITY GROUP GROUP ISOLATED STUDENTS WHO WILL BE ENROLLED IN THE PROFOSED PARK	

4. DESCRIBE THE COMPOSITION OF THE ADVISORY COMMITTEE *(use this format)*

LAST NAME - FIRST NAME - MIDDLE INITIAL	ADDRESS *(include ZIP code)*	RACE OR ETHNIC GROUP	ORGANIZATION REPRESENTED	CHECK IF		
				STUDENT IN APPLICANT SCHOOLS	PARENT OF STUDENT IN APPLICANT SCHOOLS	CLASSROOM TEACHER

The applicant hereby assures the Assistant Secretary that:

1. It possesses legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and Assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant received Federal financial assistance and will immediately take any measures necessary to effectuate this agreement.

3. It will comply with Title VI of the Civil Rights Act of 1964 (42 USC 2000d) prohibiting employment discrimination where (1) the primary purpose of a grant is to provide employment or (2) discriminatory employment practices will result in unequal treatment of persons who are or should be benefiting from the grant-aided activity.

4. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally assisted programs.

5. It will comply with the provisions of the Hatch Act which limit political activity of employees.

6. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.

7. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

8. It will give the grantor agency or the Comptroller General through any authorized representative the access to and the right to examine all records, books, papers, or documents related to the grant.

9. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with Office of Management and Budget Circular No. A-102.

10. The applicant is not reasonably able to provide, out of non-Federal sources, the assistance for which this application is made.

11. Funds made available to the applicant under the Act will be so used (1) as to supplement and, to the extent practicable, increase the level of funds that would, in the absence of funds under the Act, be available from non-Federal sources for the purposes of the program for which assistance is sought, for promoting the integration of the schools of the applicant, and for the education of children participating in the proposed program, project, or activity and (2) in no case, as to supplant such funds from non-Federal sources.

12. Funds paid to the applicant under this application will be used solely to pay the additional cost to the applicant in carrying out the program, project, or activity described in the application, and that the funds requested in the application represent the additional cost to the applicant arising out of activities authorized under the Act, above that of the activities normally carried out by the applicant.

13. Funds made available under any other law of the United States will be used in coordination with funds made available under the Act, to the extent consistent with such other law.

14. The program for which assistance is sought will be administered by the applicant, and any funds received by the applicant under such application, and any property derived therefrom, will remain under the administration and control of the applicant.

15. The applicant has not reduced its fiscal effort for the provision of free public education for children in attendance at its schools for the fiscal year or years for which assistance is sought under the Act to less than that of the second preceding fiscal year, and the current expenditure per pupil which the applicant makes from revenues derived from its local sources for the fiscal year or years for which assistance under the Act will be made available to the applicant is not less than such expenditure per pupil which the applicant made from such revenues for the fiscal year preceding the fiscal year during which the applicant began implementation of the plan with respect to which assistance is sought under the Act, or the third fiscal year preceding the first fiscal year for which assistance will be made available under the Act, whichever is later.

16. The applicant will carry out, and comply with, all provisions, terms, and conditions of any plan, program, project, or activity upon which a determination of its eligibility for assistance under the Act is based.

17. The applicant has established an advisory committee pursuant to 45 CFR §185.41(a) and 185.37 at least 15 days prior to submission of this application. In connection with the establishment of such committee, the applicant has furnished to each member of such committee a copy of the applicable statute and regulations. The names of the members of such committee have been published in a newspaper of general circulation or otherwise made public at least 5 days prior to the hearing required by 45 CFR §185.41(b) and 185.37.

18. The applicant has consulted with the advisory committee formed pursuant to 45 CFR §185.41(a) and 185.37 in identifying problems and assessing the needs to be addressed by this application.

19. The applicant has afforded its advisory committee established pursuant to 45 CFR §185.41(a) and 185.37 reasonable opportunity (not less than 10 days) to review and comment upon the application.

Attach comments of such committee concerning the application.

20. The applicant has developed this application in open consultation with parents, teachers, and (where a proposed program, project, or activity will affect the secondary school(s)), secondary school students, including but not limited to the members of the advisory committee formed pursuant to 45 CFR §185.41(a) and 185.37, and has held at least one open, public hearing, at which such persons were afforded a full opportunity to understand the program, project, or activity for which assistance is being sought and to offer recommendations thereon. Such hearing was held no less than 7 days prior to submission of this application and was advertised in a newspaper of general circulation or otherwise made public not less than 5 days prior to the date of such hearing.

a. *Attach evidence of public notice of such hearing, including the date of such notice.*

b. *Attach a copy of the minutes of such hearing. (See Supplementary Instructions for Assurances for a definition of "minutes".)*

21. The applicant will consult at least once a month with its advisory committee established pursuant to 45 CFR §185.41(a) and 185.37 in formal meetings of such committee, with respect to policy matters arising in the administration and operation of any project for which funds are made available under the Act, and it will provide such committee with a reasonable opportunity to periodically observe (upon prior and adequate notice to such agency at such time or times as such committee and agency may agree) and comment upon all project-related activities. Each such formal meeting will be open to the public and will be advertised in the newspaper of general circulation or otherwise made public not less than 5 days prior to the date of such meeting.

22. The applicant will submit such reports containing such information in such form as the Secretary or Assistant Secretary may require in order to carry out their functions under the Act, and the applicant will p such records and afford such access thereto as will necessary to assure the correctness of such reports nd to verify them.

3. The applicant will make available copies of reports nd records referred to in 45 CFR §185.13(k)(1) to nterested members of the public at no charge or at a harge not to exceed the cost to the applicant of making h copies available, and such reports and records ll be made available for inspection by interested mbers of the public at reasonable times and places.

The applicant is familiar with, and will comply with provisions of, all applicable regulations, grant or ract terms, conditions and requirements.

25. No funds made available under the Act will be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance or to carry out a plan for racial desegregation, when the time or distance of travel is so great as to risk the health of the children involved or significantly impinge on the educational process of such children, or where the educational opportunities available at the school to which it is proposed that any such student be transported will be substantially inferior to those opportunities offered at the school to which such student would otherwise be assigned under a nondiscriminatory system of school assignments based on geographic zones established without discrimination on account of race, religion, color, or national origin.

26. The appropriate State educational agency has been given at least 15 days to offer recommendations to the applicant.

27. The applicant will cooperate with the Assistant Secretary or any State educational agency, institution of higher education, or private organization, institution, or agency, including a committee established pursuant to 45 CFR §185.41(a), in the evaluation by the Assistant Secretary or such agencies, institutions, or organizations of specific programs, projects or activities assisted under the Act.

28. The applicant has not engaged prior to the date of its application for assistance under the Act, and will not engage subsequent to such date, in any transfer of property or services to a discriminatory nonpublic school in violation of 45 CFR §185.43(a) (or if such a violation has occurred, application for a waiver of ineligibility has been made to the Secretary).

Attach a list of the names and addresses of all non-public schools or school systems (or any organization controlling, operating, or intending to establish such a school or school system) to which the applicant has transferred (directly or indirectly, by gift, lease, loan, sale, or any other means) any real or personal property or made available any services subsequent to June 23, 1972 (See Supplementary Instructions for Assurances).

29. The applicant has not had or maintained in effect prior to the date of its application for assistance under the Act, and will not have or maintain in effect subsequent to such date, any practice, policy, or procedure with respect to minority group personnel in violation of 45 CFR §185.43(b) (or if such a violation has occurred, application for a waiver of ineligibility has been made to the Secretary).

a. *Is the district implementing a desegregation plan? Yes _____ No _____*

b. *If 'yes' see Supplementary Instructions for Assurances.*

30. The applicant has not had or maintained in effect prior to the date of its application for assistance under the Act, and will not have or maintain in effect subsequent to such date, any procedure for assignment of children to classes in violation of 45 CFR §185.43(c) (or if such a violation has occurred, application for a waiver of ineligibility has been made to the Secretary). (See Supplementary Instructions for Assurances.)

a. *Attach a statement of the total number of children assigned by the applicant as of the date of the application to all-minority or all-nonminority classes for more than 25 per centum of the school day classroom periods.*

b. *Attach an educational justification or explanation for any such assignments.*

31. The applicant will carry out and comply with the terms of the agreement upon which its waiver of ineligibility (if any) by the Secretary is based.

32. Where the proposed program, project, or activity includes activities authorized under 45 CFR §185.12(a)(3), the applicant will give preference in recruiting and hiring such teacher aides to parents of children attending schools directly affected by the plan, program, project, or activity upon which a determination for assistance under the Act is based.

33. Federal funds made available under the Act will not be used in connection with any sectarian activity or religious worship, or department of Divinity. The term "school or department of Divinity" means an institution or department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

34. The applicant has not had or maintained in effect prior to the date of its application for assistance under the Act, and will not have or maintain in effect subsequent to such date, any practice, policy, or procedure which results in discrimination against children in violation of 45 CFR §185.43(d) (or if such violation has occurred, application for a waiver of ineligibility has been made to the Secretary).

a. *Attach a statement of the enrollment, by race, in classes maintained by the applicant as of the date of its application for the mentally retarded or for children with other learning disabilities. (See Supplementary Instructions for Assurances.)*

b. *Attach a statement of the number and percentage of students enrolled in the first grade of the applicant's schools as of the date of its application whose primary home language is other than English. (See Supplementary Instructions for Assurances.)*

c. *If the number of children listed under Item 34(b) is greater than 100, or if the percentage listed thereunder is greater than 5 per centum, attach the averages of the most recent standardized reading achievement scores, by race or ethnic group, for students enrolled in the third and sixth grades of the applicant's schools or the nearest grades for which such scores are available, as of the date of its application. (See Supplementary Instructions for Assurances.)*

ASSURANCES 35-37 APPLY TO INTERDISTRICT TRANSFER PROJECTS ONLY

35. The applicant will establish student advisory committees pursuant to 45 CFR §§185.37(a) and 185.41(h)(1), and not more than 30 days after approval of this application (or after commencement of the first academic year for which assistance is awarded, whichever is later), will afford the members of such committees an opportunity to select student members of the applicant's district-wide advisory committee as set forth in 45 CFR §§185.37(a) and 185.41(h)(4). The names of the members of student advisory committees, a statement of the purpose of such committees, and the names of additional members of the district-wide advisory committee will be published in a newspaper of general circulation or otherwise made public not more than 10 days after selection of all such members has been completed. The names of all such members, and evidence of such publication, will be submitted to the Assistant Secretary in accordance with 45 CFR §185.41(h)(5).

36. Representatives of the agency will periodically consult with student advisory committees established pursuant to 45 CFR §§185.41(h)(1) and 185.37(a) concerning matters relevant to the program, project, or activity, and copies of the applicable statute and regulations and the agency's approved project proposal will be supplied to all members of such committees.

37. The schools to which students will be transferred meet the definition required by 45 CFR §135.31(a)(2).

TYPE OR PRINT NAME OF AUTHORIZED OFFICIAL SIGNATURE OF AUTHORIZED OFFICIAL DAT

EMERGENCY SCHOOL AID ACT
(P.L. 92-318)

INSTRUCTIONS FOR SUBMITTING PROJECT PROPOSALS UNDER THE EMERGENCY SCHOOL AID ACT
METROPOLITAN AREA PROJECTS

U.S. Department of Health, Educational, and Welfare
Office of Education

February, 1973

PART I

This form shall be used to apply for Federal assistance for the Emergency School Aid Act for Metropolitan Area Projects (Interdistrict transfer projects, SMSA Planning and Education Parks).

Submit the original and nine copies of the forms to the address preprinted under Part I, Item 3.

Item 1 - Enter N/A.

Item 2 - To be completed by the Office of Education

Item 3 - Preprinted by OE.

Item 4 - Enter the legal name of the local educational agency or agencies.

Item 5 - Enter the descriptive name of this project.

Item 6 - Enter N/A

Item 7 - Enter the amount that is requested from the Federal Government in this application. This amount should agree with the total amount shown in Part III, Section A, Line 5 of Column (e) or (g).

Item 8 - Preprinted by OE.

Item 9 - Preprinted by OE.

Item 10- Preprinted by OE.

Item 11- Enter the number of persons directly benefiting from this project and indicate whether it is a, b, or c as shown below.

a. For interdistrict transfers, enter the number of participating students - those transferred and those normally enrolled in the receiving schools.

b. For park planning, enter projected enrollment of the park(s).

c. For SMSA planning, enter the total SMSA public school enrollment.

Item 12

a. Enter the Congressional district in which the applicant is located.

b. Enter the Congressional district(s) in which the actual work on the project will be accomplished.

Item 13 - Enter the number of months that will be needed to complete the project after Federal funds are made available.

Item 14 - Enter the approximate date the project is expected to begin.

Item 15 - Enter the date this application is submitted.

Item 16 - Complete the certification before submitting the report.

PART II

Negative answers will not require an explanation unless the Federal agency requests more information at a later date. Provide Supplementary data for all "Yes" answers in the space provided in accordance with the following instructions:

Item 1 - Provide the name of the governing body establishing the priority system and the priority rating assigned to this project.

Item 2 - Preprinted "Yes" by OE. It is required that the appropriate State Educational Agency be given at least fifteen days to offer recommendations to the applicant. Attach documentation showing date of submission to State official or agency named in this item. Note that in the Assurances, Part V, (19, 20, and 35) other material is required in terms of advisory committees and hearings.

Item 3 - Preprinted by OE.

Item 4 - Furnish the name of the approving agency and the approval dat

Item 5 - Show whether the approved comprehensive plan is State, local or regional or if none of these, explain the scope of the plan. Give the location where the approved plan is available for examination and state whether this project is in conformance with the plan.

Item 6 - Show the population residing or working on the Federal installation who will benefit from this project.

Item 7 - Show the percentage of the project that will be conducted on federally-owned or leased land. Give the name of the Federal intallation and its location.

Item 8 - Describe briefly the possible beneficial and harmful impact on the environment of the proposed project. If an adverse environmental impact is anticipated, explain what action will be taken to minimize the impact. Federal agencies will provide separate instructions if additional data is needed.

Item 9 - State the number of individuals, families, businesses, or farms this project will displace. Federal agencies will provide separate instructions if additional data is needed.

Item 10 - Show the Federal Domestic Assistance Catalog number, the program name, the type of assistance, the status and the amount of each project where there is related, previous, pending or anticipated assistance. Use additional sheets, if needed.

PART III

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. All applications should contain a breakdown by the object class categories shown in Line a-k of Section B.

Section A. Budget Summary

Lines 1-4, Columns (a) and (b).

Enter the name of the type of project(s) being applied for (Interdistrict transfer project, SMSA Planning and/or Education Park(s)) on each line in Column (a). Under Column (b) enter 135.24.

Lines 1-4, Columns (c) through (g).

Leave Columns (c) and (d) blank. For each line entry in Column (a) enter in Columns (e) or (g) the appropriate amounts of funds needed to support the project for the first funding period. Do not include information pertaining to non-Federal funds (Column f).

Line 5 - Show the totals for all columns used.

Section B. Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements for funds by object class categories.

Line (a) - Enter salaries and wages only. Fees and expenses for consultants must be included in line (h).

Further detail on this item is required in Section F, Part III.

Line (b) - Leave blank if fringe benefits applicable to direct salaries and wages are included in the indirect cost.

Line (c) - Include costs for travel (foreign and domestic) of employees only. Travel of consultants, trainees, etc., should not go on this line, nor should local transportation (i.e., where no out-of-town trip is involved).

Line (d) - Use only for nonexpendable personal property. Nonexpendable personal property is defined as tangible personal property having a useful life of more than one year and an acquisition cost of $300 or more per unit. By this statute (P.L. 92-318) equipment also includes machinery, utilities, built in equipment and any necessary enclosures to house them and all other items necessary to provide educational services such as instructional equipment, necessary furniture, printed, published and audiovisual materials, and other related material. All equipment costing over $300 should be individually identified in Section F.

Line (e) - Show all tangible personal property except that which is on Line (d) (include supplies, materials, and equipment costing less than $300).

Line (f) - To be used for procurement contracts (except those which belong on other lines such as equipment, supplies, and construction) and subgrants or other assistance - like payments to secondary recipient organizations such as affiliates, cooperating institutions, delegate agencies, political subdivisions, etc. Line (f) must not include payments to individuals such as stipends and allowances for trainees, consulting fees, benefits, etc.

Line (g) - Only minor repair and remodeling are authorized and these are authorized only for an interdistrict transfer project.

Line (h) - Must be used for all direct costs not clearly covered by lines (a) through (g). Examples are computer use charges, non-salary and wage payments to individuals, tuition, space or equipment rental, and local transportation. Items should be identified as shown in Section F.

Line 6i - Show the totals of Lines 6a through 6h in each column.

Line 6j - Show the amount of indirect cost. The only allowable indirect costs are those costs specifically related to the ESAA project.

Line 6k - Enter the total of amounts on Lines 6i and 6j. The total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g).

Line 7 - Enter N/A.

Section C. Source of Non-Federal Resources

Line 8-11 - Enter N/A.

Section D. Forecasted Cash Needs

Line 13 - Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14 - Leave blank.

Line 15 - Enter the amounts on Line 13.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16-20 - Enter N/A.

Section F. Other Budget Information

Use this space to explain the following cost categories.

a) Using the format shown below, relate personnel costs from Section B, Line a, to the staffing pattern described in the staffing section of the Quality Criteria referred to in the narrative of the application.

Title or Position	Number of Persons Full-time	Part-time	Total Salaries
Administrators	1	1	$ 20,000
Classroom Teacher	3	5	35,000
Teachers Aides	6	3	37,500
Guidance Counselors	4	0	40,000
Librarians	0	4	18,000
Statisticians	2	0	20,000

b. Explain equipment and supply costs shown in Section B, lines 6d and 6e. Use the format shown in the example below.

Item	No. of Units	Cost/Unit	Total Cost
Calculator	2	$325	$650

c. Identify "other costs" that exceed $1,000 or 1/2 of 1 percent of the project's proposed budget, whichever is larger, from Section B, line h. These costs should be stated for each activity. Use the format shown in Section B, line h.

PART IV

Supplementary Information-Interdistrict Transfer

Item 1. Enter the enrollment data for each applicant receiving district prior to the transfers for which assistance is sought. Attach information if the application is being made by more than one district.

Item 2. Enter enrollment data prior to the transfers for which assistance is sought for the sending district with whom the applicant district has made an agreement.

Item 3. Complete the table, entering the number of minority group students to be transferred from schools having the indicated minority percentage enrollments. Multiply the number of students from each type school by its appropriate weight factor, and enter the weighted number for each school. Enter the total number and total weighted number in the appropriate boxes.

Item 4. For each receiving school submit the faculty and student composition, by race, which will be in existence after the transfer has taken place.

Item 5. Enter the totals for all schools in all local educational agencies in the SMSA. It is not necessary to give data for each district, merely the total of all districts.

Item 6. Provide the requested information. Be sure the composition of the Advisory Committee meets the requirements spelled out in the Regulations, section 45 CFR 185.41 and 185.37.

PART IV

Instructions for Supplementary Data SMSA Planning

Item 1. Enter data for the total enrollment of all public schools in the SMSA. It is not necessary to give data for each school, merely the total.

Item 2. a. Enter the number of all minority group students in the SMSA attending schools in which the enrollment of minority students exceeds 50 percent of the total enrollment.

b. Multiply this number by the appropriate weight factor for the SMSA. Weight factors are listed in the footnote.

c. Enter the net reduction number on the appropriate line. Note that if the minority group enrollment for the SMSA is less than 50 percent, (as is the case for most SMSAs) the number of minority group isolated students and the net reduction number are equal.

Item 3. The Regulations list the requirements which must be fulfilled in selection of the Advisory Committee members. Make sure that all of the information required in the Regulations is presented clearly in the list of Advisory Committee members.

Item 4. The statute requires that this application be approved by at least 2/3 of the districts in the SMSA, and that the approving districts must enroll at least 2/3 of all the students enrolled in all the districts in the SMSA. Evidence of approval may be by the district official's signature on the application, a copy of a board resolution approving the proposal, or other evidence of final official action of approval by a school district.

PART IV

Supplementary Information
Education Park

Item 1. Enter data for the total enrollment of all public secondary schools in the applicant districts. If the applicant is a single LEA, enter data for all public secondary schools in the LEA.

Item 2. Enter the number of all minority group students enrolled in public secondary schools in LEAs the park is to serve with more than 50% minority group enrollments. If applicant is a single LEA, enter the number of such students in the LEA.

Item 3. Enter the total number of minority group isolated students (Item 2) who will be enrolled in the Education Park.

Item 4. The *Regulations* list the requirements which must be fulfilled in selection of the Advisory Committee members. Make sure that all of the information required in the *Regulations* is presented clearly in the list of Advisory Committee members.

SUPPLEMENTARY INSTRUCTIONS FOR ASSURANCES, I - METROPOLITAN PROJECTS

Assurance 19. Attach comments of the Advisory Committee as required by assurance 19.

Assurance 20. a. Attach evidence of public notice of public hearing, including the date of such notice as required by assurance 20.

b. A copy of the minutes of the hearing must be attached. The term "minutes" is defined to be limited to the place, time, and date the hearing was held, the number of persons in attendance and a brief summary of remarks.

Assurance 28. For assurance 28 use the following format for listing your district's transactions with nonpublic schools since June 23, 1972. This listing must include any gift, lease, loan, sale or other transaction of property or services to any nonpublic school, school system or organization operating or intending to establish such a school or school system.

Nonpublic School and Address	Date of Transaction	Description of Property or Services	Compensation Received by School District

Assurance 29. Answer question found in the body of the assurances under assurance 29.

a. If answer to question is yes, use the following format for listing, by race, the number of principals, full-time classroom teachers, and head coaches for athletics employed by your district for the academic year immediately preceding implementation of any portion of the district's earliest plan (Federal or State court order, administrative agency order, or other plan to desegregate or reduce minority group isolation).

Example: If the district began implementation of a plan pursuant to an order of a Federal or State court or administrative agency during the 1965-66 school year, although the plan upon which the district based its eligibility for assistance was implemented during the 1970-71 school year, the number of principals, full-time classroom teachers, and head coaches for athletics employed by the district for the 1964-65 school year should be entered on the chart).

19___ (Enter year for which data is being reported)

	Negro	Am. Indian	Spanish-Surnamed American	Portuguese	Oriental	Hawaiian Native	Alaskan Native	Non min rit
Principals								
Full-time Classroom Teachers								
Athletic Head Coaches								

b. Use the above format for listing, by race, the number of principals, full-time classroom teachers, and head coaches for athletic as of the date of the application.

Assurance 30 Number of children in all-minority or all nonminority classes (Need only be submitted if the applicant is implementing a desegregation plan).

a. Use the following format for listing total number of children assigned by district to all-minority or all-nonminority classes for more than 25% of the school day. Do not include students in 100% minority or 100% nonminority schools.

No of children in All-Minority Classes	No. of children in All-Nonminority Classes	Total

b. If the above chart indicates that the district has assigned children to all-minority or all-nonminority classes for more than 25% of the school day, attach an educational justification or explanation of such assignments. (See 45 CFR §185.43(c)).

Assurance 34

a. Number of students in special classes for children with learning disabilities.

Use the following format for supplying district's enrollment, by race, in classes for the mentally retarded or for children with other learning disabilities. Information should be current as of the date of the application. Use a separate format for each classification of disability.

Classification of Disability____________________________

	Non-Minority	Negro	American Indian	Spanish-Surnamed	Portuguese	Oriental	Alaskan Native	Hawaiian Native	Total
Number of Children									

b. Number and percentage of students whose primary home language is other than English.

1) Use the following format for supplying the number and percentage of students enrolled in the first grade in your district whose primary home language is other than English. Information should be current as of the date of the application.

Number of First Grade Children whose Primary Home Language is other than English	Percentage of First Grade Children whose Primary Home Language is other than English

2) State method by which home language was determined.

c. If the number of children listed in item 25 (b) is more than 100 or if the percentage listed is more than 5 percent, use the following format for supplying the averages of the most recent standardized reading achievement scores, by race or ethnic group, for students enrolled in the third and sixth grades in the district, or the nearest two grades for which such scores are available. Prepare a separate chart for each of the two grades. Indicate the name of the standardized reading achievement test used and the date administered in the appropriate spaces.

Enter Grade _______________

Race or Ethnic Group	Average Score	Translate average score to equivalent age or grade level
Negro		
American Indian		
Spanish-Surnamed American		
Portuguese		
Oriental		
Alaskan Native		
Hawaiian Native		
Nonminority		

Name of Test and Series ______________________________ Date Administered ____________

Assurance 35 Student Advisory Committee Information

When supplying supportive data on the student advisory committee use the format listed below. This information, evidence of publication of the names of committee members, and evidence of publication of a statement of the purpose of such committees, including date of publication, should be submitted to the appropriate Regional Commissioner within 30 days following project approval or 30 days after commencement of the school year for which assistance is awarded, whichever is later. It is not to be submitted with the application.

NAME	RACE	SCHOOL	METHOD OF SELECTION	INDICATE IF TRANSFERRED STUDENT
1.				
2.				
3.				

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

O.M.B. NO. 51-R0950
APPROVAL EXPIRES 6/30/73

Page 1 of 7 Pages

APPLICATION FOR ASSISTANCE UNDER THE EMERGENCY SCHOOL AID ACT

LOCAL EDUCATIONAL AGENCIES

SPECIAL READING PROJECTS

FOR U.S.O.E. USE ONLY
PROJECT NUMBER
GRANT NUMBER

SECTION I - APPLICANT INFORMATION

1. NAME OF LOCAL EDUCATIONAL AGENCY
2. TELEPHONE AREA CODE NUMBER
3. ADDRESS - NUMBER AND STREET *(if applicable)*
4. CITY
5. STATE
6. ZIP CODE
7. COUNTY
8. CONGRESSIONAL DISTRICT
9. NAME OF LOCAL EDUCATIONAL AGENCY CONTACT PERSON
10. TELEPHONE AREA CODE NUMBER

11. FEDERAL FUNDS REQUESTED

BASIC GRANT ☐ YES ☐ NO
PILOT PROJECT ☐ YES ☐ NO
BILINGUAL ☐ YES ☐ NO
SPECIAL READING $

12. PERIOD OF PROPOSED PROJECT

STARTING DATE: MONTH DAY YEAR
ENDING DATE: MONTH DAY YEAR

APPLICANT MUST REVIEW AND SIGN THE STATEMENT OF ASSURANCES.

APPLICANT MUST ATTACH COPY OF ITS PLAN.

SUBMIT THIS FORM IN SEVEN (7) COPIES. SIGN ORIGINAL ONLY

13. PRINT OR TYPE NAME OF SUPERINTENDENT OR AUTHORIZED OFFICIAL
14. SIGNATURE OF SUPERINTENDENT OR AUTHORIZED OFFICIAL
15. DATE

SECTION II - SCHOOL ENROLLMENT AND MINORITY GROUP ISOLATION INFORMATION

1. CURRENT ENROLLMENT DATA

NEGRO	AMERICAN INDIAN	SPANISH-SURNAMED	PORTUGUESE	ORIENTAL	HAWAIIAN NATIVE	ALASKAN NATIVE	*TOTAL MINORITY*	*NON-MINORITY*	TOTAL ENROLLMENT

2. MINORITY GROUP ISOLATION

SCHOOLS WITH THE FOLLOWING PERCENTAGES OF MINORITY STUDENTS (1)	NUMBER OF MINORITY STUDENTS IN BASE SCHOOL YEAR 19___ (2)	NUMBER OF MINORITY STUDENTS IN PROJECT SCHOOL YEAR 19___ (3)	SCHOOLS WITH THE FOLLOWING PERCENTAGES OF MINORITY STUDENTS (1)	NUMBER OF MINORITY STUDENTS IN BASE SCHOOL YEAR 19___ (2)	NUMBER OF MINORITY STUDENTS IN PROJECT SCHOOL YEAR 19___ (3)
95 - 100%			65 - 69.9%		
90 - 94.9%			60 - 64.9%		
85 - 89.9%			55 - 59.9%		
80 - 84.9%			50 - 54.9%		
75 - 79.9%			0 - 49.9%		
70 - 74.9%			TOTAL		

OE FORM 116-1, 2/73 REPLACES EDITION OF 11/72 WHICH MAY BE USED.

SECTION III - PROJECT DESCRIPTION *(attach sheets if necessary)*

Page 2 of 7 Pages

1. TYPE OF PROJECT

Special Reading •

2. INDICATE THE NUMBER OF STUDENTS, TEACHERS, AND OTHER EDUCATIONAL STAFF IN PUBLIC AND NONPUBLIC SCHOOLS, PARTICIPATING IN THE PROJECT. USE FORMAT PRESENTED IN THE INSTRUCTIONS. *(attach to application)*

3. BRIEFLY DESCRIBE THE EXTENT OF PARENTAL, STUDENT, AND COMMUNITY INVOLVEMENT IN THE DEVELOPMENT AND IMPLEMENTATION OF THIS PROJECT

4. USING THE FORMAT SHOWN IN THE INSTRUCTIONS, DESCRIBE THE COMPOSITION OF THE UNIT TASK FORCE. ATTACH REQUIRED EVIDENCE OF PUBLICATION.

5. WHAT FUNCTIONS, IN ADDITION TO THOSE CALLED FOR IN THE REGULATIONS, WILL THE UNIT TASK FORCE PERFORM?

6. **BILINGUAL PROJECTS ONLY**

NUMBER OF STUDENTS WHOSE DOMINANT LANGUAGE IS NOT **ENGLISH.** USE CURRENT ENROLLMENT DATA.

LANGUAGE	NUMBER OF STUDENTS	LANGUAGE	NUMBER OF STUDENTS	LANGUAGE	NUMBER OF STUDENTS
Spanish					
Portuguese				▨	*TOTAL NUMBER OF STUDENTS*
				▨	

SECTION III - PROJECT DESCRIPTION *(Continued)*

NAME OF LOCAL EDUCATIONAL AGENCY

7. DESCRIBE YOUR PROJECT FOLLOWING THE FORMAT SHOWN IN THE INSTRUCTIONS

8. ATTACH A SCHEDULE OF THE MAJOR EVENTS WHICH WILL BE COMPLETED IN IMPLEMENTING THE PROJECT. LIST THE EVENTS IN CHRONOLOGICAL ORDER ACCORDING TO THE STARTING DATE OF EACH EVENT. USE THE FORMAT SHOWN IN THE INSTRUCTIONS

SECTION IV - EMERGENCY SCHOOL AID ACT ACTIVITY BUDGET OUTLINE

(Attach detailed budget explanation (see instructions))

TYPE OF PROJECT

Special Reading

COST CATEGORY / ACTIVITY	100 ADMINISTRATION	200 INSTRUCTION	300 AND 400 ATTENDANCE AND HEALTH	500 PUPIL TRANSPORTATION SERVICES	600 OPERATION OF PLANT 700 MAINTENANCE OF PLANT	800 FIXED CHARGES 900 FOOD SERVICES 1000 STUDENT BODY ACTIVITIES 1100 COMMUNITY SERVICES	1200 CAPITAL OUTLAY	TOTAL FEDERAL FUNDS REQUESTED
(1) Special Remedial Services								
(2) Staff Training								
(3) Guidance and Counseling Services								
(4) Curriculum Development								
(5) Career Education Programs								
(6) Innovative Interracial Programs								
(7) Community Activities								
(8) Administrative and Auxiliary Services								
(9) Planning and Evaluation								
(10) Facility Repair								
(11) TOTAL ALL ACTIVITIES								

SECTION V - CERTIFICATION OF ACCOUNTING SYSTEM

A. *(To be used when certification is by a public financial officer?)*

As chief financial officer of ______________________________
NAME OF EMPLOYING OFFICE

I am responsible for providing financial services to ______________________________
NAME OF LOCAL EDUCATIONAL AGENCY

I hereby certify that the accounting system established for this agency has internal controls adequate to safeguard its assets, check the accuracy and reliability of its accounting data, promote operating efficiency, and encourage compliance with prescribed management policies and the fiscal requirements.

B. *(To be used when a CPA or other duly licensed independent accountant furnished the certification.)*

I am a certified (or duly licensed) public accountant and have been engaged to examine and report on the accounting system of ______________________________
NAME OF LOCAL EDUCATIONAL AGENCY

I have reviewed this agency's accounting system and I hereby certify that, in my opinion, it includes internal controls adequate to safeguard its assets, check the accuracy and reliability of its accounting data, promote operating efficiency, and encourage compliance with prescribed management policies and the fiscal requirements pursuant to 45 CFR part 185 and the applicable General Terms and Conditions.

TYPE OR PRINT NAME	TITLE	DATE
ADDRESS *(number, street, city, State, and ZIP code)*	SIGNATURE	

The applicant hereby assures the Assistant Secretary that:

1. The applicant is not reasonably able to provide, out of non-Federal sources, the assistance for which this application is made.

2. Funds made available to the applicant under the Act will be so used (1) as to supplement and, to the extent practicable, increase the level of funds that would, in the absence of funds under the Act, be available from non-Federal sources for the purposes of the program for which assistance is sought, for promoting the integration of the schools of the applicant, and for the education of children participating in the proposed program, project, or activity and (2) in no case, as to supplant such funds from non-Federal sources.

3. Funds paid to the applicant under this application will be used solely to pay the additional cost to the applicant in carrying out the program, project, or activity described in the application and that the funds requested in the application represent the additional cost to the applicant arising out of activities authorized under the Act, above that of the activities normally carried out by the applicant.

4. Funds made available under any other law of the United States will be used in coordination with funds made available under the Act, to the extent consistent with such other law.

Attach a statement of procedures employed by the applicant to coordinate its proposed program, project, or activity under the Act with projects conducted pursuant to Title I, III, and VII of the Elementary and Secondary Education Act of 1965 and Title IV of the Civil Rights Act of 1964.

5. The program for which assistance is sought will be administered by the applicant, and any funds received by the applicant under such application, and any property derived therefrom, will remain under the administration and control of the applicant.

6. The applicant has not reduced its fiscal effort for the provision of free public education for children in attendance at its schools for the fiscal year or years for which assistance is sought under the Act to less than that of the second preceding fiscal year, and the current expenditure per pupil which the applicant makes from revenues derived from its local sources for the fiscal year or years for which assistance under the Act will be made available to the applicant is not less than such expenditure per pupil which the applicant made from such revenues for the fiscal year preceding the fiscal year during which the applicant began implementation of the plan with respect to which assistance is sought under the Act, or the third fiscal year preceding the first fiscal year for which assistance will be made available under the Act, whichever is later.

Attach statement of total local revenues available for expenditure, the tax rate applied by the responsible governmental unit for the fiscal year for which assistance is sought and for the second preceding fiscal year, and of the current expenditure per pupil from revenues derived from local sources for the first fiscal year for which assistance is sought, the fiscal year preceding the fiscal year during which the agency began implementation of its plan, and the third fiscal year preceding the first fiscal year for which assistance is sought. (See Instructions)

7. The applicant will carry out, and comply with, all provisions, terms, and conditions of any plan, program, project, or activity upon which a determination of its eligibility for assistance under the Act is based.

8. The applicant has established a Unit Task Force, under the direction of the principal of the school to be served by the proposed program, project, or activity, which has developed this application for assistance pursuant to 45CFR § 185.94(a) and (b). In connection with the establishment of such Unit Task Force, the applicant has furnished to each member of such Unit Task Force a copy of the applicable statute and regulations. The names of the members of such Unit Task Force, and a statement of the purpose of such Unit Task Force, have been published in a newspaper of general circulation or otherwise made public at least 5 days prior to the public hearing required by 45 CFR § 185.94 and 185.41(b).

Attach a brief statement signed by the members of the Unit Task Force indicating their role in the development of this application.

9. The applicant has developed this application in consultation with parents, teachers, and (where the proposed program, project or activity will affect a secondary school) secondary school students, including but not limited to the members of the Unit Task Force established pursuant to 45CFR § 185.94(a), held at least one open, public hearing, at which all interested persons were afforded a full opportunity to understand the program, project, or activity for which assistance is being sought and to offer recommendations thereon. Such hearing was held no less than 7 days prior to submission of this application and was advertised in a newspaper of general circulation or otherwise made public not less than 5 days prior to the date of such hearing.

a. Attach evidence of public notice of such hearing, including the date of such notice.

b. Attach a copy of the minutes of such hearings.

10. The applicant will consult at least once a month with the Unit Task Force established pursuant to 45 CFR § 185.91(a) in formal meetings of such Unit Task Force, with respect to problems arising in the administration and operation of any projects for which funds are made available on the basis of this application and it will provide a reasonable opportunity to periodically observe (upon prior and adequate notice to the applicant at such time or times as such Unit Task Force and the applicant may agree) and comment upon all project related activities. Each such formal meeting will be open to the public and will be advertised or otherwise made public not less than 5 days prior to the date of such meeting.

11. In the case of project activities primarily directed to minority group children, to the extent consistent with the number of minority group children in the area to be served who are enrolled in nonpublic nonprofit elementary and secondary schools (which are operated in a manner free from discrimination on the basis of race, color, or national origin, and which do not serve as alternatives for children seeking to avoid attendance in desegregated or integrated public schools), the participation of which children would assist in achieving the purposes of the Act, the applicant (after consultation with the appropriate nonpublic school officials) has made provision for the participation of such children on an equitable basis. In the case of project activities directed to minority and nonminority group children, teachers, and other educational personnel, to the extent consistent with the number of children, teachers, and other educational staff in the school district of the applicant enrolled or employed in nonpublic nonprofit elementary and secondary schools (which are operated in a manner free from discrimination on the basis of race, color, or national origin, and which do not serve as alternatives for children seeking to avoid attendance in desegregated or integrated public schools), the participation of which children,

teachers, and other educational staff would assist in achieving the purposes of the Act, or in the case of an application under Subpart F of the regulations would assist ~~in~~ meeting the needs described in that subpart, the applicant (after consultation with the appropriate nonpublic school officials) has made provision for the participation of such children, teachers, and other educational staff on an equitable basis.

Attach list of faculty and total student enrollment, by race, for each nonpublic school participating in project. (See Instructions)

12. The applicant will submit such reports containing such information in such form as the Secretary or Assistant Secretary may require in order to carry out their functions under the Act, and the applicant will keep such records and afford such access thereto as will be necessary to assure the correctness of such reports and to verify them.

13. The applicant will make available copies of reports and records referred to in 45 CFR § 185.13 (k)(1) to interested members of the public at no charge or at a charge not to exceed the cost to the applicant of making such copies available, and such reports and records shall be made available for inspection by interested members of the public at reasonable times and places.

14. The applicant is familiar with, and will comply with the provisions of, all applicable regulations, grant or contract terms, conditions and requirements.

15. No funds made available under the Act will be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance or to carry out a plan for racial desegregation, when the time or distance of travel is so great as to risk the health of the children involved or significantly impinge on the educational process of such children, or where the educational opportunities available at the school to which it is proposed that any such student be transported will be substantially inferior to those opportunities offered at the school to which such student would otherwise be assigned under a nondiscriminatory system of school assignments based on geographic zones established without discrimination on account of race, religion, color, or national origin.

16. The appropriate State educational agency has been given at least 15 days to offer recommendations to the applicant.

a. *State official or agency to whom the proposed program or project has been submitted for recommendations.*

____

b. *Date of Submission* ____________________

17. The applicant will cooperate with the Assistant Secretary or any State eudcational agency, institution of higher education, or private organization, institution, or agency including a committee established pursuant to 45 CFR § 185.41(a), in the evaluation by the Assistant Secretary or such agencies, institutions, or organizations of specific programs, projects or activities assisted under the Act.

18. The applicant has not engaged prior to the date of its application for assistance under the Act, and will not engage subsequent to such date, in any transfer of property or services to a discriminatory nonpublic school (including such schools or school systems to whose students, faculty, or other educational staff services will be provided pursuant to 45 CFR § 185.42) in violation of 45 CFR § 185.43(a) (or if such a vilolation has occurred, application for a waiver of ineligibility has been made to the Secretary).

Attach a list of the names and addresses of all nonpublic schools or school systems (or any organization controlling, operating, or intending to establish such a school or school system) to which the applicant has tranferred (directly or indirectly, by gift, lease, loan, sale, or any other means) any real or personal property or made available any services subsequent to June 23, 1972. (See Instructions)

19. The applicant has not had or maintained in effect prior to the date of its application for assistance under the Act, and will not have or maintain in effect subsequent to such date, any practice, policy, or procedure with respect to minority group personnel in violation of 45 CFR § 185.43(b) (or if such a violation has occured, application for a waiverof ineligbility has been made to the Secretary).

Attach a statement of the number of principals, full-time classroom teachers, and athletics head coaches, by race, for the academic year immediately preceding (i) the year in which the applicant first implemented any portion of a plan for desegregation or reduction of minority group isolation in its school pursuant to an order of a Federal or State court or administrative agency, or (ii) the year in which the applicant first implemented any portion of a plan described in 45 CFR § 185.11, whichever is earlier, and the number of athletics head coaches, by race, as of the date of the application. (See Instructions)

20. The applicant has not had or maintained in effect prior to the date of its application for assistance under the Act, and will not have or maintain in effect subsequent to such date, any procedure for assignment of children to classes in violation of 45 CFR § 185.43 (c) (or if such a violation has occurred application for a waiver of ineligibility has been made to the Secretary).

a. *Attach a statement of the total number of children assigned by the applicant as of the date of the application to all-minority or all-nonminority classes for more than 25 per centum of the school day classroom periods. (See Instructions)*

b. *Attach an educational justification or explanation for any such assignments.*

21. The applicant has not had or maintained in effect prior to the date of its application for assistance under the Act, and will not have or maintain in effect subsequent to such date, any practice, policy, or procedure which results in discrimination against children in violation of 45 CFR § 185.43(d) (or if such violation has occurred, application for a waiver of ineligibility has been made to the Secretary).

a. *Attach a statement of the enrollment, by race, in classes maintained by the applicant as of the date of its application for the mentally retarded or for children with other learning disabilities. (See Instructions)*

b. *Attach a statement of the number and percentage of students enrolled in the first grade of the applicant's schools as of the date of its application whose primary home language is other than English. (See Instructions)*

c. *If the number of children listed under item 25(b) is greater than 100, or if the percentage listed thereunder is greater than*

5 per centum, attach the averages of the most recent standardized reading achievement scores, by race or ethnic group, for students enrolled in the third and sixth grades of the applicant's schools or the nearest grades for which such scores are available, as of the date of its application. (See Instructions)

22. The applicant will carry out and comply with the terms of the agreement upon which its waiver of ineligibility (if any) by the Secretary is based.

23. Where the proposed program, project, or activity includes activities authorized under 45 CER § 185.12 (a) (3), the applicant will give preference in recruiting and hiring such teacher aides to parents of children attending schools directly affected by the plan, program, project, or activity upon which a determination for assistance under the Act is based.

24. Federal funds made available under the Act will not be used in connection with any sectarian activity or religious workshop, or in connection with any part of a school or department of Divinity. The term "school or department of Divinity" means an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

(P.L. 92-318)
EMERGENCY SCHOOL AID ACT

INSTRUCTIONS FOR SUBMITTING PROPOSALS UNDER THE EMERGENCY SCHOOL AID ACT LOCAL EDUCATIONAL AGENCIES

SPECIAL READING PROJECTS

Title VI of the Civil Rights Act of 1964 states that "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Title IX of the Education Amendments of 1972 states that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...."

INSTRUCTIONS FOR COMPLETION OF APPLICATION AND PROPOSALS FOR ESAA SPECIAL READING PROJECTS

Application Procedures for LEA's

Applicants for ESAA Special Reading Projects will use the basic ESAA LEA application (OBM form #51-50950; OE form #116-1).

All applicants for Special Reading Projects - regardless of other funds being requested under ESAA - must submit a complete and signed application to the Right to Read Office. The Right to Read Office - within the Office of Education - is handling the processing of ESAA Special Reading Projects. The application must include all supporting data from the LEA, together with the data called for in the program regulations, and these instructions.

If there are questions, please call or write to:

Ruth Love Holloway, Director
Right to Read Program
400 Maryland Avenue, S.W., Room 2131
Washington, D.C. 20202
Telephone: 202 963-3456

I. Evidence of Plan Under Which Assistance is Being Sought

A copy of the plan for which assistance is sought must be submitted with the application. Types of plans include:

A. Order of a Federal or State court, or other State agency or responsible official, which requires desegregation or reduction in minority group isolation; or

B. Copy of a plan for desegregation approved by the Office for Civil Rights, with a copy of the letter of approval; or

C. Copy of the voluntary desegregation plan or plan to eliminate, reduce, or prevent minority group isolation. The school district must include a copy of a school board resolution or other evidence of final official action which approves the plan and agrees to its implementation.

II. Data Forms

Attached to the application must be the following tables (data forms) that provide pupil enrollment data for the base school year and the project school year.

A. The base school year is defined as the school year immediately preceding the implementation of the district's current desegregation plan or plan to reduce minority group isolation. For a desegregation plan or plan to reduce minority group isolation to be current, the local educational agency must still be using the plan for the purpose of assigning some children. It is conceivable that other children may be assigned on the basis of a later desegregation or minority reduction plan. In effect, both plans are current but for the purposes of this application the local educational agency should select the date of the first plan implemented for determining the base school year.

B. The project school year is defined to be:

1. The current school year for those districts which have already implemented their plan and have not proposed additional desegregation or reduction of minority group isolation.

2. The school year immediately following the current school year for districts which are implementing either a new or an additional desegregation plan or plan to reduce minority group isolation.

There are two tables to be completed--the base school year table and the project school year table. State the dates of the base school year and the project school year on each table. Sample data forms are provided on pages 3 and 4.

III. Submit an original and seven copies of the application to: Ruth Love Holloway, ESAA Special Reading Projects, 400 Maryland Avenue, S.W. Room 2131, Washington, D.C. 20202. All applications must be postmarked not later than March 30, 1973.

DATA FORM

Name of Applicant ______________________________ State ________________________

Base School Year 19__

Col. 1 Name of School	Col. 2 Negro	Col. 3 American Indian	Col. 4 Spanish-Surnamed American	Col. 5 Portuguese	Col. 6 Oriental	Col. 7 Alaskan Natives	Col. 8 Hawaiian Natives	Col. 9 Non-Minority	Col. Total
TOTALS:									

NOTE: USE SEPARATE FORMS FOR EACH OF THE YEARS BEING REPORTED.

DATA FORM

Name of Applicant ______________________________ State ________________________

Project School Year 19__

Col. 1 Name of School	Col. 2 Negro	Col. 3 American Indian	Col. 4 Spanish-Surnamed American	Col. 5 Portuguese	Col. 6 Oriental	Col. 7 Alaskan Natives	Col. 8 Hawaiian Natives	Col. 9 Non-Minority	Col. Tota
TOTALS:									

NOTE: USE SEPARATE FORMS FOR EACH OF THE YEARS BEING REPORTED.

DETAILED INSTRUCTION FOR COMPLETING APPLICATION BLANKS FOR ESAA SPECIAL READING PROJECTS - LOCAL EDUCATIONAL AGENCIES

An ESAA Special Reading Project application is a request for funds and must be certified by the Superintendent of Schools or the authorized official of the eligible sponsoring agency. This official is responsible for the accuracy and completeness of the information contained in the application.

Section I - APPLICATION INFORMATION

Item 1. Enter the legal name of the local educational agency.

Item 8. If the county covers more than one Congressional district, include all Congressional districts.

Item 9. The principal at the selected school site must be the contact person.

Item 11.a. If the school district has previously applied in batch one or two indicate by checking appropriate boxes.

b. Enter the amount of funds requested for Special Reading Project.

Section II

If the applicant has already applied for ESAA basic grant, pilot project, or bilingual funds, i.e., on or before 3/5 73, and has submitted an eligible plan, such applicant need not include such plan with this application. This exception applies only to LEA's that have already submitted the required data. Those planning to make their initial application in batch III must include the required data with this application for Special Reading Projects.

Section II - SCHOOL ENROLLMENT, MINORITY GROUP ISOLATION INFORMATION

Item 1. Enter the total number of minority students enrolled for the 1972-73 school year. Do not double count. For example, a Spanish-surnamed student who is also black should not be counted twice. He may be included in either category. Enter the total student enrollment in the appropriate boxes.

Item 2. Complete the table using the data forms completed for attachment to this application.

A. State the base and project school year in Columns 2 and 3.

B. Column 1 is the range of minority enrollment percentages. For example, the first range is those schools whose enrollment is 95-100% minority. For the base and project school (Columns 2 and 3), enter the total number of minority students enrolled in all schools in this percentage range. Repeat for each percentage range. For example, if in the base school year three schools had minority enrollments of 500, 600, and 800 students which constituted between 70-74.9% of the total enrollment of each school, the sum of the three enrollment figures, 1900, should be entered in the "Base School Year" column.

C. Enter totals for Columns 2 and 3.

Section III

Item 1. Write in "Special Reading Project"

Item 2. Please indicate the number of students, teachers, and other educational staff participating in the project. Also indicate the number of students, teachers and other educational staff from nonpublic schools expected to participate.

Follow the format below and attach to the application.

Public Schools - Special Reading Project

	Number of Participants							
	Students						Teachers	Other Educational Staff
Name of School	Negro	Spanish-Surnamed	Am. Indian	Oriental	Other Minority	Non-Minority		
1.								
2.								
3.								
TOTAL								

Repeat this format for nonpublic school participation.

Item 3. Describe how parents, students and other community members have been included in the development of the project, how they will be kept informed about the progress of the project, and how they will be involved in the activities proposed in the project.

Item 4. For Special Reading Projects, the requirement of an Advisory Committee is satisfied by the Unit Task Force. (See 45CFR § 185.94) The regulations cited list the requirements which must be fulfilled in selection of the Unit Task Force.

Describe the composition of the Unit Task Force using the following format.

Name	Address	Race or Ethnic Group	Organization Represented	Check if Student Directly Affected by Plan	Check if Parent of Student Directly Affected by Plan	Check if Classroom Teacher

Attach evidence of publication of:

A. Names of the members of the Unit Task Force.
B. A statement of the purpose of the Unit Task Force.
C. Include date of such publication.

Item 5. Describe how the Unit Task Force will be involved in the implementation of the project.

Item 6. This information applies to applications for bilingual projects only.

Item 7. Project Description

The information presented in the project description must be developed by the Unit Task Force at the site of the Special Reading Project.

The Project Description will include the following:

1. Needs Assessment: Needs Assessment is identification and documentation of the reading needs at the school site. Needs Assessment should also include assessment of non-cognitive needs, such as self-image and attitude toward reading. The needs should be ranked in order of priority.

2. Objectives. The objectives will flow directly from the Needs Assessment. The Unit Task Force should formulate specific, measurable objectives to meet each need.

3. Curriculum Development: In order to achieve the objectives formulated, the Unit Task Force will need to develop a sequence of instructional activities. The body of activities taken as a whole will constitute Curriculum Development.

4. Staff Development: In order that the objectives formulated might be achieved, the school staff will require additional training in methods and techniques that facilitate the accomplishment of the objectives. The sequence of activities by which the staff will be given the necessary training will constitute the plan for staff development.

5. Evaluation: The Unit Task Force will design a means to evaluate the success of each objective.

INSTRUCTIONS AND FORMAT FOR NEEDS ASSESSMENT

STUDENT PERFORMANCE

Central to needs assessment and planning for a reading program is, of course, the individual student who is experiencing reading difficulties. The importance of this individual student and his needs must be reflected in the program's continuing emphasis on a diagnostic-prescriptive approach to the teaching of reading. However, at the initial planning stage, the planning task force on the local level must acquire a broad view of:

1) the specific areas in which student performance seems to be most in need of improvement;

2) the patterns of reading difficulties within and between grades or sections in the school;

3) other influencing factors such as bilingualism or bidialectalism among the students in the school.

Possible Sources of Data

Data to be used in the needs assessment may be gathered from one or more of the following sources:

- Achievement data on reading-related variables may be gathered from currently existing student files. Where current data are not available on a given group of students, data gathered during the previous school year may be substituted. However, data should be no more than one year old.

- Data on student interest and attitudes toward school and toward reading may already be available, or may be acquired through evaluative instruments or through interviews with teachers and students.

Several general areas of assessment are suggested (reading comprehension, word recognition, verbal expression, interest/attitudes, and mathematics). However, other areas may be added if the planning task force, the principal, or other reading personnel feel they are necessary.

Data Collection

The following format is suggested for collecting reading and other subject achievement data:

Grade/Section________________________

Subject/Area	Evaluation Instrument Used	Date	Class Range	Class Average	Norm*	Distance of Class Average from Norm

*The norm chosen for the purposes of this NAP will be peculiar to the particular test used. The norm should be stated for each evaluation instrument used.

Once the required data have been collected, they will be displayed as a part of the Program Planning Procedure (specifically, in the Needs Assessment Summary). For each grade/section, the distance of the class average from the test norm should be entered in the Needs Assessment Summary under the appropriate grade level. If the norm for "word comprehension" for the third grade is 3.1, and a third grade class in the school averages 2.2, then the number entered in the Needs Assessment Summary for word comprehension in the third grade would be -0.9. Where more than one test of a given skill has been administered, all available scores should be entered. An example of an entry in the Needs Assessment Summary under "Student Performance" is given below.

****

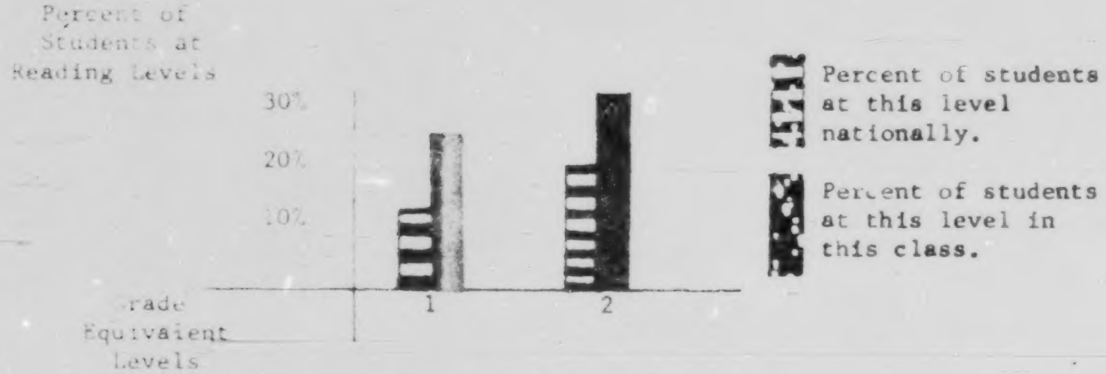
NEEDS ASSESSMENT SUMMARY--Student Performance

	1	2	3
Word Comprehension	+ 0.3	- 0.4	- 0.9

****

In addition, data may be displayed in the following format to make achievement patterns within a class more evident. This display will not be a part of the Needs Assessment Summary, but it may be helpful in visualizing reading patterns within a grade or section.

Grade/Section 3, section 1



In this example, over 20% of the third grade students read at the first grade level, while nationally only 10% of third graders read at that level.

Data on attitudes toward reading may be collected and displayed in a number of different ways:

- If standardized tests of attitudes or interests have been administered, data may be collected and displayed exactly as indicated under Student Achievement Data with reference to chosen norms.
- If no data are readily available, the school personnel may wish to use one of the instruments designed to measure attitudes toward school and reading. These data can then be displayed as suggested above.

If no data are available, and commercially available evaluation instruments are not used, evaluation and display may be accomplished through non-commercial attitude measures or through locally developed instruments based on teacher/student interviews. The following format for rating is a possibility:

-2	-1	0	+1	+2
Students actively resist both reading classes and reading activities.		Neutral		Students show marked interest in reading classes and activities.

-2	-1	0	+1	+2
Students do not read when given free reading time.		Neutral		Students read eagerly when given free reading time.

Other reading-related items can be handled in a similar manner.

When a format such as that described above is used, results should be displayed as average distance from the neutral point (C) for each grade/section. Thus, if four items are used and class averages are -2, -1, 0, and -1, the number entered in the Needs Assessment Summary would be -1.

READING PROGRAM

Data on each class's current reading approach, techniques, evaluation, etc. are necessary to a comprehensive assessment of school-wide reading needs. This current program will provide both baseline data and valuable resources for planning a new reading program.

The current reading approach used by each grade/section may be best described by either the classroom teacher responsible for reading in each class, or by the overall reading supervisor for the teachers involved.

Data items and display formats follow.

Program Location

Reading instruction is typically provided in one or more of three basic ways: as a separate subject, as part of regular subject-matter classes, or provided outside the classroom by special reading teachers or programs.

Please indicate for each grade/section within the school whether

A. Reading is taught as a separate subject.

B. Reading is taught indirectly through other subject-matter courses.

C. Special assistance is provided outside the classroom for students in special need of reading help.

Where reading is taught to a class in more than one of these ways, this fact should be noted in the Needs Assessment Summary as indicated below.

* *

NEEDS ASSESSMENT SUMMARY----Program Location

Program Location	A, C	A, C	B, C

* *

Teacher/Student Organization

Please indicate for each grade/section the person(s) responsible for reading instruction.

A. Single teacher--multi subjects

B. Reading teacher (responsible for more than one class)

C. Team of teachers

D. Students doing cross-age teaching

E. Tutor-specialist

F. Tutor-aide

G. Other (specify)____________________

Where more than one of the above categories is applicable, an estimate of the percentage of the reading program in that grade/section provided by each individual should be indicated.

* *

NEEDS ASSESSMENT SUMMARY----Teacher/Student Organization

	1	2	3	4
Teacher/Student Organization	A (90%) E (10%)	A (70%) D (10%) E (20%)		

* *

Percent of Students Served by Reading Program

Indicate for each grade/section the percentage of students served by the reading program. In some cases, the entire class is provided with reading instruction either inside or outside the classroom, while in others only a percentage of students receive specific reading instruction through special classes, labs, clinics, etc. In these latter cases, the estimated percentage of the entire class served should be indicated. The Needs Assessment Summary would display these data as in the example below:

* *

NEEDS ASSESSMENT SUMMARY----Percent of Students Served

	1	2	3
Percent Served	100%	100%	100%/20% spec.

* *

Time Spent in Program

Indicate for each grade/section the time a pupil in the reading program typically spends in the program each week. Where some students receive reading instruction both in class and outside the classroom, indicate the amount of time per week all students spend in the reading program and amount of time the smaller number spend in special reading instruction.

* *

NEEDS ASSESSMENT SUMMARY----Time Spent in Program

	1	2	3
Time Spent in Program	12 hrs.	10 hrs.	10hrs/4hrs.

* *

Basic Approach

The basic approaches to reading instruction in the classroom may be divided into ten general categories. The following list of categories was developed for the "Information Base on Reading" (Corder, 1971) and was based on categories used by Jean Chall in Learning To Read: The Great Debate (1967) and on methods described in the most widely quoted textbooks and professional books. Materials characteristic of each category are listed in Appendix IV.

A. Meaning Emphasis

B. Code Emphasis

C. Linguistics

D. Modified Alphabet

E. Responsive Environment

F. Programmed Learning

G. Individualized Reading

H. Language Experience

I. Eclectic or Author's Own ___

J. Other (specify)__________________

It must be noted, however, that the approach or method of reading instruction within any classroom may change a number of times in a school year, week, or even day. Thus, the approaches used in a given classroom should be listed according to their frequency of use (i.e., the most frequently used approach should be listed first). Examples for the Needs Assessment Summary are given below.

* *

NEEDS ASSESSMENT SUMMARY---Basic Approach

	1	2	3
Basic Approach	A, C, G	B, H, I	C, F

* *

Techniques

Indicate for each grade/section the types and relative importance in a typical reading session of the following techniques for reading instruction. Relative importance may be indicated by place in the list (i.e., the techniques used most frequently would be listed first.) Definitions of terms used in this section are found in Appendix II.

A. Machine Based Instruction

B. Other Programmed Instruction

C. Gaming/Simulation

D. Instructional TV

E. Interactive Media

F. Intensive Involvement

G. Discussion Groups

H. Demonstration-Performance

I. Lecture

J. Contracts

K. Use os supplementary materials

L. Other (specify)____________________

For the purposes of the Needs Assessment Summary, the following display format should be used:

* *

NEEDS ASSESSMENT SUMMARY----Techniques

	1	2	
Techniques	H, K, B	H, D, G, J	

* *

Student Grouping

Indicate for each grade/section the student organiztion scheme used in teaching reading. Where more than one grouping is used, indicate the estimated percentage of time each grouping scheme is used in a typical reading session.

A. Individualized reading instruction

B. Small groups (5 or less students)

C. Large groups (6 or more students)

D. Total class

The Needs Assessment Summary will display this information as follows:

* *

NEEDS ASSESSMENT SUMMARY----Student Grouping

Student Grouping	C (40%) B (60%)	B (40%) C (60%)	

* *

Evaluation

Each of the following eight items is considered an important element of an effective evaluation system within the classroom. Each grade/section should be rated according to these items, with "yes" answers getting a score of "1" and "no" answers being considered to have "0" value.

______1. Diagonostic reading tests are used with most or all students to determine individual reading needs.

______2. The teacher has formulated or selected specific objectives for each student.

______3. The teacher has developed or identified an instrument for measuring attitudes toward reading.

_____4. Set for each individually.

_____5. Visible records are kept of class performance.

_____6. Records of each individual's performance are kept.

_____7. Students are kept informed of their progress.

_____8. Students are involved in self-evaluation.

For the purposes of the Needs Assessment Summary, the total evaluation score for a grade/section should be entered as indicated below:

* *

NEEDS ASSESSMENT SUMMARY----Evaluation

	1	2	
Evaluation	5/8	7/8	

* *

Flexibility of Program

Flexibility of a program is a function of a number of factors ranging from district curriculum guides and their use to the turnover of reading materials. The following questions, all related in some way to flexibility, may be helpful in rating the flexibility of the reading program in each grade/section. For purposes of display, however, only the date when the current reading program for each grade/section began will be needed.

1. Once adopted, reading materials for this grade/section must be used for ______________ years.
2. The present materials have been used for __________ years.
3. The teacher may choose to use own (self-made) or other text materials rather than those the school provides.
   ______Yes ________No
4. The teacher must follow pre-set curriculum guides provided by the school, district, or state.
   ______Yes _______No
5. The teacher must reach specific checkpoints (such as pages, books etc.) by a specific time.
   ______Yes ______No
6. Prescribed curriculum guide(s) were changed most recently in __________.

7. How often has the teacher changed the instructional format of the reading program and/or the reading materials within the last five years?
(Circle one) 1 2 3 4 5

8. Enter the starting date for the reading program(s) which currently exist for this grade/section:

____

RESOURCES

The resources available to a school for the purposes of its reading program may range from parental support to funds available for the inservice training of teachers. The resource areas referred to in the following pages are suggested as particularly relevant to the assignment and planning of a reading program. The weaknesses and strengths (or rather, the potential and actual contributions of each support area) must be assessed if the reading program and personnel are to be most effectively redirected.

For the purposes of the NAP, only *currently used* resources should be noted. However, it is expected that the United Task Force will also be able to use these data and displays for planning future use of personnel and financial resources.

Data on these resources should be available from school records, from interviews, or through the use of suggested personnel assessment forms.

Availability and Skills of Reading Teachers

Availability: Each classroom may have one or a number of reading teachers available to it. For each grade/section, the following data should be collected:

- The total number of reading teachers available to a class.
- The total hours of teaching time per week available to a class from these reading teachers. (For example, a class which has three different reading teachers available to it, each giving four hours of instruction a week, has 12 hours of teaching time available to it.)

Skills: Each teacher of reading should determine his/her own needs for additional skills in reading instruction. The form included in this package (Reading Teacher Skill Assessment Form) is suggested for determining the current skills and training needs of the school's teachers of reading.

This form should also be filled out by eachteacher's supervisor and one final list of skill needs determined between the teacher and the supervisor. *It should be emphasized that this form should not be used in any punitive way whatsoever*. Its intention is solely to determine training needs among staff members in the reading program.

READING TEACHER SKILL ASSESSMENT FORM

	Area in which teacher is relatively confident and needs no further training	Area in which teacher needs additional training	Comments
A. MOTIVATING STUDENTS . Creating and maintaining children's interest in reading . Integrating reading into both school-oriented and non-school activities of children.			
B. DIAGNOSING READING PROBLEMS . Determining the need for reading assistance of individual students. . Selection of evaluating instruments to determine individual problem areas.			
C. PRESCRIBING FOR AND IMPLEMENTING SOLUTIONS TO READING PROBLEMS . Knowledge of available information sources and materials. . Knowledge of available alternative approaches. . Ability to choose appropriate materials/approaches for a given reading problem. . Ability to teach the skills determined to be necessary for the individual student. . Knowledge of evaluative instruments to test the accomplishment of individual objectives.			

The final display will be in terms only of available teachers and total instructional hours. Thus, kf in the first grade there are 12 hours of reading instruction per week from two teachers, the display would contain the following entries:

* *

	1	2
Number of Teacher/Hours Available	2/12hrs.	3/10hrs.

* *

Information on skills will be used during the planning sequence to determine personnel requirements and staff development activities.

Additional Reading Personnel Available

Indicate for each grade/section the number of personnel able to provide reading-related services within the classroom. These may be teacher aides, regular subject-matter teachers, trained volunteers, or other personnel actually based in the school classroom or working under the direction of the reading program teacher.

The contribution of each of these reading-related personnel should be considered so that training programs can be designed appropriately. The following format for the assessment of reading-instruction-related skills among additional personnel is suggested:

READING-RELATED PERSONNEL SKILL ASSESSMENT

	A Highly motivates students; creative, innovative.	B No special skills in motivating students.
I Highly skilled in reading instruction.		
II Has some skills in reading instruction.		
III Has no or minimal skills in reading instruction.		

For the purposes of the Needs Assessment Summary, enter only the number of personnel who are not regular reading teachers but who provide support services to the program. In addition, indicate the total number of hours of reading assistance available each week from these support personnel. (For example, two aides providing three hours of tutoring a week in reading would be entered as follows:)

* *

NEEDS ASSESSMENT SUMMARY----Additional Reading Personnel

		2	
Additional Reading Personnel	2/6hrs	3/8hrs	

* *

Total Reading Personnel

A total school display of reading and reading-related or support personnel and their skills could take the following form:

	Position	Grade	Time Devoted to Reading Instruction	Skills
READING TEACHERS				
Ms. Jones	Reading Teacher	1st	10hrs/week	A.C.
READING-RELATED PERSONNEL				
Ms. Smith	Aide	2nd	5hrs/week	III-A

In this example, Ms. Jones, reading teacher for grade 1, needs additional work with diagnosing reading problems, while Ms. Smith, teacher's aide for grade 2, is able to motivate students, but needs skills in reading instruction.

This summary format, listing all teachers and support personnel along with their skills, can be used in planning staff development activities and additional personnel requirements.

Non-Classroom Personnel Available for Reading Support

School personnel who are available to assist in a reading program, but who may not be involved directly in classroom activities, should be identified along with the services they provide. Such services may include providing diagnostic services, tutoring, directing program activities outside the classroom, planning field trips, keeping records, organizing inservice training programs, etc.

Inventory I, at the end of this section, is suggested for the collection and display of this data. The Needs Assessment Summary should contain only the total in the third column number of available personnel for reading-related activities X percent of time available = full-time equivalent non-classroom support personnel.

School Library Activity

The school library is an integral part of the students' reading environment. The library's current contribution to the reading program should be evaluated in terms of the Standards for School Media Projects set by the American Library Association and the National Education Association. These standards are contained in Appendix V. After completing the evaluation document provided in that Appendix, the UTF should determine whether the school library meets the standards set (enter +) or requires additional resources (enter -).

Staff Reading Specialists

Where reading specialists (with responsibility solely for reading) are a part of the school staff, their number should be indicated in the space provided in the Needs Assessment Summary. When regular classroom teachers are reading specialists as well, they should not be reported here; rather, they should be entered as reading teachers in the section devoted to reading teachers in the Needs Assessment Summary.

Outside Consultants

Outside consultants can consist of reading specialists provided by the school district, speech or hearing specialists who serve other schools in the area, or university personnel brought in to assist in individual or school-wide reading concerns. The nature and extent of these outside services may be collected in the format shown below:

Name	Source	Services	Man-days Available per month

Only the total man-days per month available from outside consultants should be entered on the Needs Assessment Summary.

Other Non-School Resources

Other non-school resources may include special motivational activities supplied by local industry, tutoring services provided by a civic organization, and so forth. Such resources, in addition to outside consultant resources discussed above, may be displayed for Unit Task Force use as suggested in Inventory II.

Dollar Resources

The monetary resources available to a school reading program are often diverse, and may be earmarked for specific aspects of the school's reading program. Inventory III can be used to list and display the total-dollar and reading-dollar resources of the school.

For the purposes of the Needs Assessment Summary, the relationship between dollars available to the reading program and the total school budget should be computed and displayed. In addition, the reading dollars per student should be related to the total per student cost for the school. (See Inventory III for further instructions on these items).

Decision Making

In order to allocate or redirect resources for the purposes of developing a more effective reading program, it is necessary to identify the decision makers within the school. The locus of decision making may need to be changed to assure the flexibility necessary for effective change. In any case, it is helpful to know those persons or organizations involved in program-related decisions.

Inventory IV may be helpful in determining and displaying decision areas and those responsible for them. Wherever a "decision maker" is primarily responsible for a program decision, the Unit Task Force should indicate one of the following:

X Most appropriate decision maker (in terms of experience and knowledge of the situation).

0 Inappropriate decision maker (in terms of experience and knowledge of the situation).

For the purposes of the Needs Assessment Summary, the total number of "X's" and "0's" entered on Inventory IV should be recorded. Where a "0" has been entered, steps should be taken to reassign responsibility or to rethink the ways in which the reading program can be changed.

INVENTORY I
NON-CLASSROOM SCHOOL PERSONNEL

PERSONNEL	% available for reading related activities	% time available for such activities	Equivalent full-time personnel available	Provide diagnostic-prescriptive services	Teach reading skills	Tutor in reading	Read to or with students	Provide reading materials guide
Principal								
Vice Principal								
Other administrative personnel (specify								
Librarian								
School Nurse								
Vision, Hearing, or Speech Specialists								
Testing Personnel								
School/District Psychologist								

INVENTORY II
NON-SCHOOL PERSONNEL

PERSONNEL	Number available for reading support services	Man-days available per month	Provide tutoring services	Provide diagnostic-prescriptive services	Provide technical assistance	Provide publicity; media coverage	Provide motivational activities	Provide inservice training	Provide consultant services		
Parents											
Parent Organizations											
Local college/university											
Local business/industry											
Labor Union											
Community Organization											
Civic Organization											
Model Cities Agency											
Adult Education Center											

INVENTORY III
DOLLAR RESOURCES

FUNDING SOURCE	Total dollars available	Total amount devoted specifically to reading	Total for reading personnel	Total for reading materials	Total for contract services	Total for language skills activities (excluding reading)					
Local											
State											
Federal											

$\frac{\text{TOTAL AMOUNT AVAILABLE FOR READING}}{\text{TOTAL SCHOOL DOLLARS AVAILABLE}}$ = ____________

$\frac{\text{PER STUDENT COST FOR READING}}{\text{TOTAL PER STUDENT COST}}$ = ____________

INVENTORY IV
DECISION MAKERS AND THEIR DECISIONS

DECISION MAKER	Decision on basic classroom approach to reading instruction	Selection of texts and materials	Allocation of time to reading	Selection of objectives for individual students	Assignment of teachers to reading classes	Preparation of curriculum guide	Testing and evaluation of reading program	Allocation of money to various curriculum areas		
Individual teacher										
Reading specialist										
Group of teachers at school level										
Group of teachers at system level										
Teacher's union										
Teaching supervisor										
Principal										
Parent Organization										
Individual parent										
Superintendent										
School Board										
State Education Agency										

Instructions and Format for Objectives, Activities (Curriculum Development) and Evaluation.

Use the following format to describe your project. Type on separate sheets and attach to your application.

Need: ____
(If more than one need, place each on a separate sheet)

Priority Rank of Need (if more than one) ______________________

Supportive data to justify need:

(1) Objectives	(2) Activities	(3) Evaluation

1. Under supportive data to justify need, present data that clearly justify and support the need in the form of incidents of racial disruption, test scores reflecting reading achievement, number of contacts made between students' home and the school, or any other appropriate information. If data are voluminous, summarize here and attach supporting sheets.

2. In column 1, list the first objective corresponding to the need.

3. In Column 2, describe the instructional nature of the activities which have been designed to achieve the objective. The description should be sufficient to allow a judgment of the value of the activities utilizing the quality criteria. The connection between the activities and the objectives should be readily apparent. Indicate an approximate dollar cost of the activity.

4. In Column 3, describe the method that will be used to evaluate the achievement of the objective. The timetable for data gathering and how it will be used in revising the project should be included.

5. Repeat steps 1-3 for each objective related to this need. Keep the activities directly opposite the objective to which they relate.

Instructions and Format for Data on Staff Development

Use the following format to describe staff development. Type on separate sheets of paper and attach to your application.

Objective:

Staff Development Activity:

How Staff Development Activity will be conducted, e.g., paid release time for teachers, summer program, etc.

How the staff will be involved

How the Staff Development Activity will be Evaluated

Item 8. Present the schedule of the major events for the project in the format below. Attach to application.

SCHEDULE OF IMPLEMENTATION-PLAN		
Major Event	Starting Date	Completion Date
Recruiting of 20 reading teachers	July 1, 1973	Sept. 1, 1973

A major event is a complete step in carrying out the project, such as the example shown in the chart.

SECTION IV - BUDGET PREPARATION

Section VI of the application form contains a program activity budget outline which presents a summary of estimated costs stated in terms of general cost categories and activities. All figures should be rounded off to the nearest dollar.

Timely completion of successful budget negotiations and issuance of a grant award document will depend, in large part, upon the adequacy and clarity of the grantee's justification of individual cost items and amounts. This justification, which will take the form of explanatory statements and computations appended to the Budget Outline (Sec. IV), must cover negotiable line items of cost by activity and must be in sufficient detail to demonstrate clearly how the estimated cost for each line was derived. Applicants need not show detailed breakout on items with total costs under $100.

The cost categories listed along the top of the Budget Outline are taken from Handbook II, Financial Accounting for Local and State School Systems (OE-22017.) Applicants are advised to refer to Handbook II in developing their budget breakouts. The ten activities listed along the left-hand side of the Budget Outline are the program areas authorized in the regulations. The figures in the column headed "Total Federal Funds Requested" will represent all costs for the appropriate activity area. That is, these totals will be the sum of all costs under the Handbook II cost categories. Each of the ten activities along the left-hand side of the Budget Outline for which funds are being requested should have a separate breakout of the expenditures in the various cost categories. Those accounts that have expenditures falling in more than one program activity should prorate the costs. Detailed breakouts should be provided for each cost category. These breakouts should include as a minimum a title or subject, a number of units, a unit cost and a total cost.

General -- The assurances in Section VI must be reviewed and signed by the superintendent or other authorized official of the local educational agency in the space provided. Indicate at the top of each attachment the item number to which the attachment refers and the heading. All attachments required by the assurances should be attached in the order in which they appear in Section VI.

Special Instructions to Applicants

Those school districts which have previously applied for basic grants, pilot projects, or bilingual projects under the Emergency School Aid Act in either batch I or batch II, i.e., on or before March 5, 1973, need not supply with this application the information requested under the assurances listed below, unless some change has occurred since submission of the earlier application. The district remains in all cases bound by the assurances.

This exception applies only if such information has already been submitted to the Office of Education.

Assurances #

18
19
20
21

Item 4. Be sure to attach required information.

Item 6. Total Local Revenues, Tax Rate, and Expenditure per Pupil

A. Use the format shown in Table I to show total local revenues and the tax-rate for the applicable fiscal years.

Fiscal Year 19___

Activity	Amount of Funds	Activity	Amount of Funds
Special Remedial Services		Innovative Interracial Programs	
Staff Training		Community Activities	
Guidance and Counseling Services		Administrative and Auxiliary Services	
Curriculum Development		Planning and Evaluation	
Career Education Programs		Facility Repair	

Item 4. Be sure to attach required information.

Item 6. Total Local Revenues, Tax Rate, and Expenditure per Pupil

A. Use the format shown in Table I to show total local revenues and the tax rate for the applicable fiscal years.

B. Use the format shown in Table II to show expenditure per pupil from local revenues for the applicable fiscal years. See regulations for definition -45 CFR § 185.15(i)

C. Information is to be provided for the following fiscal years:

Table I (Total Local Revenue and Tax Rate)

1. Fiscal year for which assistance is sought
2. Second preceding fiscal year

Table II (Expenditure per Pupil)

1. Fiscal year for which assistance is sought
2. Fiscal year preceding fiscal year in which district began implementing plan for which assistance is sought
3. Third fiscal year preceding the fiscal year for which assistance is sought

Example: If the fiscal year for which assistance is sought is 1974, then indicate the total local revenue and the tax rate for fiscal years 1974 and 1972 in Table I; if district began implementation of its plan in 1970, then indicate the expenditure per pupil (from local revenues only) for fiscal years 1974, 1969, and 1971 in Table II.

D. State fiscal year on Tables where applicable.

Table I - Total Local Revenues and Tax Rate

Fiscal Year	Total Local Revenues	Tax Rate
1. 19__		
2. 19__		

Table II - Expenditure Per Pupil

Fiscal year during which plan first implemented 19 _____	
Fiscal year	Expenditure Per Pupil
1. 19 _____	
2. 19 _____	
3. 19 _____	

Items 10-21. Be sure to attach required information

Item 12 **Nonpublic School Enrollment Information**

Use the following format for listing, by race, faculty and total student enrollment of each nonpublic school participating in project.

Name and Address of Nonpublic School ______________________________

____

TOTAL ENROLLMENT AND FACULTY BY RACE

	Black	American Indian	Spanish-Surnamed	Portuguese	Oriental	Hawaiian Native	Alaskan Native	Non-Minority	T H
Faculty									
Student									

Item 17. Complete data required on application.

Item 19. Transactions with Nonpublic Schools

Use the following format for listing your district's transactions with nonpublic schools since June 23, 1972. This listing must include any gift, lease, loan, sale or other transfer of property or services to any nonpublic school, school system or organization operating or intending to establish such a school or school system.

Nonpublic School and Address	Date of Transaction	Description of Property or Services	Compensation Received by School District

Item 20. Number of Principals, Full-time Classroom Teachers and Head Coaches for Athletics

a. Use the following format for listing, by race, the number of principals, full-time classroom teachers, and head coaches for athletics employed by your district for the academic year immedia preceding implementation of any portion of the district's earlie plan (Federal or State court order, administrative agency order, other plan to desegregate or reduce minority group isolation).

Example: If the district began implementation of a plan pursuant to an order of a Federal or State court or administrative agency during the 1965-66 school year, although the plan upon which the district bases its eligibility for assistance was implemented during the 1970-71 school year, the number of principals, full-time classroom teachers, and head coaches for athletics employed by the district for the 1964-65 school year should be entered on the chart.

19__ (Enter year for which data is being reported)

	Negro Black	American Indian	Spanish-Surnamed American	Portuguese	Oriental	Hawaiian Native	Alaskan Native	Non-Minority	Total
Principals									
Full-time Classroom Teachers									
Athletic Head Coaches									

b. Use the above format for listing, by race, the number of head coaches for athletics as of the date of the application.

Item 21. Number of children in all-minority or all-nonminority classes

a. Use the following format for listing total number of children assigned by district to all-minority or all-nonminority classes for more than 25% of the school day. Do not include students in 100% minority or 100% nonminority schools.

No. of children in All-Minority Classes	No. of Children in All-Nonminority Classes	Total

b. If the above chart indicates that the district has assigned children to all-minority or all-nonminority classes for more than 25% of the school day, attach an educational justification or explanation of such assignments. (See 45 CFR § 185.43(c).)

Item 22. a. Number of students in special classes for children with learning disabilities

Use the following format for supplying district's enrollment, by race, in classes for the mentally retarded or for children with other learning disabilities. Information should be current as of the date of the application. Use a separate format for each classification of disability.

Classification of Disability ____________

	Non-Minority	Negro	American Indian	Spanish-Surnamed	Portuguese	Oriental	Alaskan Native	Hawaiian Native	Total
Number of Children									

b. Number and percentage of students whose primary home language is other than English.

1) Use the following format for supplying the number and percentage of students enrolled in the first grade in your district whose primary home language is other than English. Information should be current as of the date of the application.

Number of First Grade Children whose Primary Home Language is other than English	Percentage of First Grade Children whose Primary Home Language is other than English

2) State method by which home language was determined.

c. If the number of children listed in item 25 (b) is more than 100 or if the percentage listed is more than 5 percent, use the following format for supplying the averages of the most recent standardized reading achievement scores, by race or ethnic group, for students enrolled in the third and sixth grades in the district, or the nearest two grades for which such scores are available. Prepare a separate chart for each of the two grades. Indicate the name of the standardized reading achievement test used and the date administered in the appropriate spaces.

Enter Grade __________

Race or Ethnic Group	Average Score	Translate average score to equivalent age or grade level
Negro		
American Indian		
Spanish-Surname American		
Portuguese		
Oriental		
Alaskan Native		
Hawaiian Native		
Nonminority		

Name of Test and Series ______________________ Date Administered ______

BEST COPY AVAILABLE

EXHIBIT M-3
Circular No. A-10
OMB NO. 80-R0

APPLICATION FOR FEDERAL ASSISTANCE (NONCONSTRUCTION PROGRAMS)

PART I

1. State Clearinghouse Identifier

2. Applicant's Application No.

3. Federal Grantor Agency

Health, Education and Welfare

Organizational Unit

Office of Education

Administrative Office

National Center for Educational Technology

Street Address – P.O. Box

Code 525

City State Zip Code

Washington DC 20202

4. Applicant Name

Department Division

Street Address – P.O. Box

City County

State Zip Code

5. Descriptive Name of the Project

6. Federal Catalog No.

13.524

7. Federal Funding Requested

$

8. Grantee Type

____ State, ____ County, ____ City, ____ Other (Specify)

9. Type of Application or Request

____ New Grant, ____ Continuation, ____ Supplement, ____ Other Changes (Specify)

10. Type of Assistance

____ Grant, ____ Loan, ____ Other (Specify)

11. Population Directly Benefiting from the Project

12. Congressional District

a.

b.

13. Length of Project

14. Beginning Date

15. Date of Application

16. The applicant certifies that to the best of his knowledge and belief the data in this application are true and correct, and that he will comply with the attached assurances if he receives the grant.

Typed name	Title	Telephone Number		
		AREA CODE	NUMBER	EXT.
Signature of Authorized Representative				

For Federal Use Only

OMB NO. 80-RO 186

PART II

PROJECT APPROVAL INFORMATION

Item 1.
Does this assistance request require State, local, regional, or other priority rating?
_____ Yes _____ No

Name of Governing Body _____
Priority Rating _____

Item 2.
Does this assistance request require State, or local advisory, educational or health clearances?
_____ Yes _____ No

Name of Agency or Board _____
(Attach Documentation)

Item 3.
Does this assistance request require clearinghouse review in accordance with OMB Circular A-95?
_____ Yes _____ No

(Attach Comments)

Item 4.
Does this assistance request require State, local, regional or other planning approval?
_____ Yes _____ No

Name of Approving Agency _____
Date _____

Item 5.
Is the proposed project covered by an approved comprehensive plan?
_____ Yes _____ No

Check one: State ☐
Local ☐
Regional ☐
Location of Plan _____

Item 6.
Will the assistance requested serve a Federal installation?
_____ Yes _____ No

Name of Federal Installation _____
Federal Population benefiting from Project _____

Item 7.
Will the assistance requested be on Federal land or installation?
_____ Yes _____ No

Name of Federal installation _____
Location of Federal Land _____
Percent of Project _____

Item 8.
Will the assistance requested have an impact or effect on the environment?
_____ Yes _____ No

See instructions for additional information to be provided.

Item 9.
Will the assistance requested cause the displacement of individuals, families, businesses, or farms?
_____ Yes _____ No

Number of:
Individuals _____
Families _____
Businesses _____
Farms _____

Item 10.
Is there other related assistance on this project previous, pending, or anticipated?
_____ Yes _____ No

See instructions for additional information to be provided.

OMB NO. 80-R0[illegible]

SECTION C – NON-FEDERAL RESOURCES

(a) Grant Program	(b) APPLICANT	(c) STATE	(d) OTHER SOURCES	(e) TOTALS
8.	$	$	$	$
9.				
10.				
11.				
12. TOTALS	$	$	$	$

SECTION D – FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	$	$	$	$	$
14. Non-Federal					
15. TOTAL	$	$	$	$	$

SECTION E – BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)			
	(b) FIRST	(c) SECOND	(d) THIRD	(e) FOURTH
16.	$	$	$	$
17.				
18.				
19.				
20. TOTALS	$	$	$	$

SECTION F – OTHER BUDGET INFORMATION

(Attach additional Sheets If Necessary)

21. Direct Charges:

22. Indirect Charges:

23. Remarks:

PART IV PROGRAM NARRATIVE (Attach per instruction)

OMB NO. [illegible]

PART III – BUDGET INFORMATION

SECTION A – BUDGET SUMMARY

Grant Program, Function or Activity (a)	Federal Catalog No. (b)	Estimated Unobligated Funds Federal (c)	Estimated Unobligated Funds Non-Federal (d)	New or Revised Budget Federal (e)	New or Revised Budget Non-Federal (f)	New or Revised Budget Total (g)
1. ESAA Title 7, Sec. 711	13.524	$	$	$	$	$
2.						
3.						
4.						
5. TOTALS		$	$	$	$	$

SECTION B – BUDGET CATEGORIES

6. Object Class Categories	– Grant Program, Function or Activity (1)	(2)	(3)	(4)	Total (5)
a. Personnel	$	$	$	$	$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other					
i. Total Direct Charges					
j. Indirect Charges					
k. TOTALS	$	$	$	$	$
7. Program Income	$	$	$	$	$

Approved
OMB No. 68-R1143

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PROTECTION OF HUMAN SUBJECTS CERTIFICATION

IDENTIFICATION NUMBER (if known)

☐ Contract ☐ New
☐ Grant ☐ Renewal
☐ Fellowship ☐ Continuation

STATEMENT OF POLICY: Safeguarding the rights and welfare of human subjects involved in activities supported by grants or contracts from the DHEW is the responsibility of the institution which receives or is accountable to the DHEW for the funds awarded for the support of the activity. In order to provide for the adequate discharge of this institutional responsibility, it is the policy of the Department that no grant or contract for an activity involving human subjects shall be made unless the application for such support has been reviewed and approved by an appropriate institutional committee. (Reference: "Institutional Guide to DHEW Policy on the Protection of Human Subjects.")

1. TITLE OF PROPOSAL

2. PROJECT DIRECTOR/PROGRAM DIRECTOR/FELLOW

POSITION TITLE

3. INSTITUTIONAL COMPONENT OR DEPARTMENT

4. CHECK ONE OF THE FOLLOWING STATEMENTS AS APPLICABLE:

☐ A. This application does not propose any activities that would involve human beings who might be considered subjects, human material, or personal data from primary or secondary sources.

☐ B. This is to CERTIFY that this application which does propose activities involving human subjects has been reviewed and approved by our institutional committee on the date of____________________ in accordance with the DHEW policy and the institutional assurance on file with the DHEW. (The review date should be recent; certification is invalid if review date would precede award date by more than one year.)

☐ C. This is to CERTIFY that this application which proposes to involve human subjects is pending review on the date of____________________ in accordance with the DHEW policy and the institutional assurance on file with the DHEW. If the committee does not review and approve the proposal by or on the date certified, the agency office requesting this certification will be notified immediately by telephone, telegraph, or mail. (Review date should precede requested or planned date of award by at least one month whenever possible.)

☐ D. This application proposes to involve human subjects. This institution does not now have an active assurance on file with the DHEW. I understand that information on the assurance procedure will be received should the application become eligible for an award.

5. SIGNATURE OF INSTITUTIONAL OFFICIAL AUTHORIZED TO SIGN PROPOSALS

DATE

6. TITLE

TELEPHONE NO. (Code, No., Extension

7. NAME AND ADDRESS OF INSTITUTION (Street, City, State, zip code)

NOTE TO AGENCY: This form should NOT be included with application forms that have provision for human subject certification. It may be used to request certification, or correction of certification.

HEW 596 (Formerly NIH 1611)

C-13

INSTRUCTIONS

Please submit the original and two copies of the forms.

Part I

Item 1. Enter "NA"

Item 2. Enter your own application number or other identifying code, if applicable.

Item 3. This item is pre-printed.

Item 4. Enter the name of the applicant, the name of the primary organizational unit which will undertake the grant supported activity, and the complete address of the applicant.

Item 5. Enter the descriptive name of this project.

Item 6. This item is pre-printed.

Item 7 – Enter the amount that is requested from the Federal Government in this application. This amount should agree with the total amount shown in Part III, Section A, Line 5 of Column (e). For revisions, changes, or amendments, show only the amount of the increase or decrease.

Item 8 – Check one grantee type. If the grantee is other than a State, county, or city government, specify the type of grantee on the "Other" line. Examples of other types of grantees are council of governments, interstate organizations, or special units.

Item 9 – Check the type of application or request. If the "Other Changes" block is checked, specify the type of change. The definitions for terms used in Item 9 are as follows:

a. New grant – an action which is being submitted by the applicant for the first time.

b. Continuation grant – an action that pertains to the continuation of a multi-year grant (e.g., the second year award for a project which will extend over five years).

c. Supplemental grant – an action which pertains to an increase in the amount of the Federal contribution for the same period.

d. Changes in the existing grant – Specify one or more of the following:

(1) Increase in duration – a request to extend the grant period.

(2) Decrease in duration – a request to reduce the grant period.

(3) Decrease in amount – a request to decrease the amount of the Federal contribution.

Item 10. Check "grant."

Item 11. Enter the number of persons directly benefiting from this project. For example, if the project is for children aged 6-9, enter the estimated number of this age group who would probably watch the programs.

Item 12

a. Enter the congressional district in which the applicant is located.

b. Enter the congressional district(s) in which most of the actual work on the project will be accomplished. If the work will be accomplished city-wide or State-wide, covering several congressional districts, write "city-wide" or "State-wide".

Item 13 – Enter the number of months that will be needed to complete the project after Federal funds are made available.

Item 14 – Enter the approximate date the project is expected to begin.

Item 15 – Enter the date this application is submitted.

Item 16 – Complete the certification before submitting the report.

INSTRUCTIONS

PART II

For most applicants, "NA" will be an appropriate answer for all items in Part II.

Negative answers will not require an explanation unless the Federal agency requests more information at a later date. Provide supplementary data for all "Yes" answers in the space provided in accordance with the following instructions:

Item 1 – Provide the name of the governing body establishing the priority system and the priority rating assigned to this project.

Item 2 – Provide the name of the agency or board which issued the clearance and attach the documentation of status or approval.

Item 3 – Attach the clearinghouse comments for the application in accordance with the instructions contained in Office of Management and Budget Circular No. A-95.

Item 4 – Furnish the name of the approving agency and the approval date.

Item 5 – Show whether the approved comprehensive plan is State, local or regional, or if none of these, explain the scope of the plan. Give the location where the approved plan is available for examination and state whether this project is in conformance with the plan.

Item 6 – Show the population residing or working on the Federal installation who will benefit from this project.

Item 7 – Show the percentage of the project work that will be conducted on federally-owned or leased land. Give the name of the Federal installation and its location.

Item 8 – Describe briefly the possible beneficial and harmful impact on the environment of the proposed project. If an adverse environmental impact is anticipated, explain what action will be taken to minimize the impact. Federal agencies will provide separate instructions if additional data is needed.

Item 9 – State the number of individuals, families, businesses, or farms this project will displace. Federal agencies will provide separate instructions if additional data is needed.

Item 10 – Show the Federal Domestic Assistance Catalog number, the program name, the type of assistance, the status and the amount of each project where there is related previous, pending or anticipated assistance. Use additional sheets, if needed.

INSTRUCTIONS

PART III

General Instructions

Sections A,B,C, and D should include budget estimates for the first budget year, and Section E should present the need for Federalaassistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

Section A. Budget Summary

Columns (a) and (b) are pre-printed.

Lines 1-4, Columns (c) through (g).

For new applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period *only* if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should *not* equal the sum of amounts in Columns (e) and (f).

Line 5 – Show the totals for all columns used.

Section B. Budget Categories

In the column heading (1) enter: ESAA Title VII, Sec.711.

Lines 6a-h – - Show the estimated amount for each direct cost budget (object class) category for each column.

Lines 6a-h

Line 6(a) - Personnel must show wages and salaries only. Fees and expenses for consultants must be included on line (h).

Line 6(b) - Leave blank if fringe benefits applicable to direct salaries and wages are treated as part of the indirect cost rate.

Line 6(c) - Is only for foreign and domestic travel of employees. Consultant, trainee, etc., travel and local transportation should not be included here.

Line 6(d) - Nonexpendable personal propert means tangible personal property having a useful life of more than one year and an acquisition cost of $300 or more per unit. A grantee may use its own definition of nonexpendable personal property provided that such definition would at least include all tangible personal property as defined above.

Line 6(e) - Show all tangible personal property except that on Line (d).

Line 6(f) - Show (1) procurement contracts (except those belonging on other lines, such as equipment and supplies) and (2) subgrants or other assistance-like payments to secondary recipient organizations such as affiliates, cooperating institutions, delegate agencies, political subdivisions, etc. Do not include here payments to individuals, such as stipends and allowances for trainees, consulting fees, benefits, etc.

Line 6(g) - Use this line for alterations and renovations. New construction is not allowable.

Line 6(h) - Enter here all direct costs not clearly covered by Lines a-g. Examples are computer use charges, nonsalary and wage payments to individuals, space or equipment rental, and local transportation.

Line 6(i) - Show the totals of lines 6a to 6h in each column.

Line 6(j) - Show the amount of indirect cost. Refer to Office of Management and Budget Circular No. A-87.

Line 6(k) - Enter the total of amounts on Lines 6i and 6j. The total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g).

Line 7 - Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the Federal grantor agency in determining the total amount of the grant.

Section C. Source of Non-Federal Resources

Line 8-12 Leave these lines blank.

Section D. Forecasted Cash Needs

Line 13 - Enter the amount of cash needed by quarter from the grantor agency during

Line 14. Leave blank.

Line 15. Leave blank.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16-19 – Enter in column (a) "ESAA Title VII, Sec.711. For new applications and continuing grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding periods (usually in years.) This Section need not be completed for amendments, changes or supplements to funds for the current year of existing grants.

Line 20 – Enter the total for each of the Columns (b)-(e).

Section F – Other Budget Information.

Line 21 – Use this space to explain amounts for individual direct object cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22 – Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23 – Provide any other explanations required herein or any other comments deemed necessary.

INSTRUCTIONS

PART IV
PROGRAM NARRATIVE

Prepare the program narrative statement in accordance with the following instructions for all new grant programs. Requests for continuation or refunding and changes on an approved project should respond to item 5b only. Requests for supplemental assistance should respond to question 5c only.

1. OBJECTIVES AND NEED FOR THIS ASSISTANCE.

Pinpoint any relevant physical, economic, social, financial, institutional, or other problems requiring a solution. Demonstrate the need for assistance and state the principal and subordinate objectives of the project. Supporting documentation or other testimonies from concerned interests other than the applicant may be used. Any relevant data based on planning studies should be included or footnoted.

2. RESULTS OR BENEFITS EXPECTED.

Identify results and benefits to be derived.

3. APPROACH.

a. Outline a plan of action pertaining to the scope and detail of how the proposed work will be accomplished. Cite factors which might accelerate or decelerate the work and your reason for taking this approach as opposed to others. Describe any unusual features of the project such as design or technological innovations, reductions in cost or time or extraordinary social and community involvement.

b. Provide quantitative monthly or quarterly projections of the accomplishments to be achieved in such terms as the number of jobs created and the number of people served. When accomplishments cannot be quantified by activity or function, list them in chronological order to show the schedule of accomplishments and their target dates.

c. Identify the kinds of data to be collected and maintained and discuss the criteria to be used to evaluate the results and successes of the project. Explain the methodology that will be used to determine if the needs identified and discussed are being met and if the results and benefits identified in item 2 are being achieved.

d. List organizations, cooperators, consultants, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution.

Target Audience

Give as precise as possible an estimate and description of the primary and any secondary target audience(s).

5. IF APPLICABLE, PROVIDE THE FOLLOWING INFORMATION:

a. For research or demonstration assistance requests, present a biographical sketch of the program director with the following information, name, address, phone number, background, and other qualifying experience for the project. Also, list the name, training and background for other key personnel engaged in the project.

b. Discuss accomplishments to date and list in chronological order a schedule of accomplishments, progress or milestones anticipated with the new funding request. If there have been significant changes in the project objectives, location approach, or time delays, explain and justify. For other requests for changes or amendments, explain the reason for the change(s). If the scope or objectives have changed or an extension of time is necessary, explain the circumstances and justify. If the total budget has been exceeded, or if individual budget items have changed more than the prescribed limits contained in Attachment K to Office of Management and Budget Circular No. A-102, explain and justify the change and its effect on the project.

c. For supplemental assistance requests, explain the reason for the request and justify the need for additional funding.

INSTRUCTIONS

PART V

ASSURANCES

The Applicant hereby assures and certifies that he will comply with the regulations, policies, guidelines, and requirements including OMB Circulars Nos. A-87, A-95, and A-102, as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also the Applicant assures and certifies with respect to the grant that:

1. It possesses legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement.

3. It will comply with Title VI of the Civil Rights Act of 1964 (42 USC 2000d) prohibiting employment discrimination where (1) the primary purpose of a grant is to provide employment or (2) discriminatory employment practices will result in unequal treatment of persons who are or should be benefiting from the grant-aided activity.

4. It will comply with requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally assisted programs.

5. It will comply with the provisions of the Hatch Act which limit the political activity of employees.

6. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.

7. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

8. It will give the grantor agency or the Comptroller General through any authorized representative the access to and the right to examine all records, books, papers, or documents related to the grant.

9. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with Office of Management and Budget Circular No. A-102.

10. No application for Department of Health, Education, and Welfare assistance is approved unless the applicant has on file with the Department an accepted assurance of compliance with the Civil Rights Act of 1964 on Form HEW 441. If a copy of Form HEW 441 is not already on file with the Department, it must be submitted with this application.

11. Department of Health, Education, and Welfare policy requires that if any phase of this project will involve subjecting individuals to the risk of physical, psychological, sociological, or other harm, certain safegards must be instituted and an assurance must be filed. The attac HEW-596 is self-explanatory.

12. If this is an application for continued support, include (1) the report of inventions conceived or reduced to practice required by th terms and conditions of the grant, or (2) a list of inventions alread reported, or (3) a negative certification.

13. An advisory committee representati of the target communities has been established, consulted, and provid full information on the nature and purposes of the Act and its propos activities.

Appendix E

Management Manuals

BUREAU OF EQUAL EDUCATIONAL OPPORTUNITY

COMPREHENSIVE MANAGEMENT MANUAL
FOR THE EMERGENCY SCHOOL AID ACT

A PROGRAM ADMINISTERED

under TITLE VII of the

EDUCATION AMENDMENTS of 1972
(PUBLIC LAW 92-318)

1972

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

PREFACE

This manual is intended for use by OE supervisors and staff personnel who are responsible for implementation of the Emergency School Aid Act, Title VII, P.L. 92-318. Its usefulness and timeliness are the responsibility of the Bureau of Equal Educational Opportunity, under the Deputy Commissioner for School Systems.

December 1, 1972

COMPREHENSIVE MANAGEMENT MANUAL
FOR THE EMERGENCY SCHOOL AID ACT
TITLE VII, P.L. 92-318

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SECTION 1. INTRODUCTION

SECTION 2. GENERAL BACKGROUND INFORMATION

SECTION 3. LEGISLATIVE AUTHORITY AND REGULATION FOR THE EMERGENCY SCHOOL AID ACT

SECTION 4. ADMINISTRATIVE PROCEDURES

EMERGENCY SCHOOL AID

TABLE OF CHANGES

CHANGE NUMBER	PAGE NUMBER	DATE RECEIVED	DATE PUT IN MANUAL	NAME OF STAFF MEMBER NOTING RECEIPT OF CHANGE (Initial after typed or printed name)

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III. Use and Maintenance of Manual...................... 1-I-2

I. Purpose of the Manual

The Comprehensive Management Manual for the Emergency School Aid Act (ESAA), Title VII, P.L. 92-318 is established as the permanent, authoritative reference for policy and procedures information, standards, and direction to all supervisors and staff personnel charged with implementing the Emergency School Aid Act. It is expected that this task will be facilitated by the development and use of carefully delineated management procedures. This Manual has been designed to accomplish the following objectives as they relate to the Emergency School Aid Act:

A. To facilitate administrative direction and data flow between the Bureau of Equal Educational Opportunity and the regional offices.

B. To clarify functional responsibilities in order to eliminate duplication of effort.

C. To enable staff to work effectively with one another in the accomplishment of their assigned responsibilities.

D. To keep employees charged with administering the Emergency School Aid Act informed concerning the policies and procedures developed to implement the Act and to serve as a conduit of communication in this regard.

E. To facilitate the training and assimilation of new personnel in the Bureau of Equal Educational Opportunity (BEEO).

II. Responsibility for the Manual

A. The Director of the Division of Program Development, Bureau of Equal Educational Opportunity, is responsible for the comprehensiveness of this manual, the accuracy of its content, and for its publication, maintenance and distribution.

B. Regional Commissioners of Education and key BEEO staff personnel are responsible for advising the Director of the Division of Program Development when operating conditions justify a revision in or an addition to the Manual. Coordination, review and approval for incorporation of such revisions or additions in this Manual will be carried out by the Director of the Division of Program Development.

III. Use and Maintenance of the Manual

A. The Comprehensive Management Manual for the Emergency School Aid Act, Title VII, P.L. 92-318 comprises four major divisions which are designated as follows:

Section 1 - Introduction
Section 2 - General Background Information
Section 3 - Legislative Authority and Regulation for the Emergency School Aid Act
Section 4 - Administrative Procedures

Each section has a Table of Contents listing all material included in that Section. Dividers separate the Sections.

B. This Manual is designed to provide for expansion and changes in present content. The page numbering system described below has been devised in such a manner as to facilitate modification of the Manual. Each original page is identified by a three part number: the first number is the Section of the Manual, the second number represents the major heading under the Section, and the third number is the sequential page number within the Section. (Example: The numerical designation 4-I-1 would be page 1 of Section 4 - Administrative Procedures, I. Technical Assistance Services for ESA Applicants.)

C. The content of the manual will be kept current by revision of existing material and/or additions. All such changes will be distributed to all staff for inclusion in their copies of the manual. Page numbers for changes will be such that they can be inserted where they apply. For instance, the page for the first change pertaining to page 4-III-1 would be numbered 4-III-1(1), the second change would be numbered 4-III-1-(2).

D. Each recipient of the manual will be responsible for keeping his/her copy current. The form Table of Changes Record immediately following the Master Table of Contents is to be used to record receipt of all changes. Receipt of each change must be noted in the appropriate space on the Table of Changes Record. It is very important that the manual be current at all times because it will serve as your basic reference for policy and procedures information, standards, and direction for implementing the Emergency School Aid Act.

E. Updated Tables of Contents for each of the four Sections will be issued periodically.

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I. Technical Assistance Services for Emergency School Aid Act (ESAA) Applicants

A. Initial Pre-application Technical Assistance

1. Regional Commissioners will be responsible for providing pre-application technical assistance for all potential ESAA applicants. The primary purpose will be that of disseminating information concerning assistance available and methods for applying for grants under ESAA.

2. Initial pre-application technical assistance will be made available through general meetings and/or conferences. These group sessions may vary from region to region depending upon the possible number of applicants in a given area. For example, one regional office may want to convene all potential applicants at the location of the regional office; another may need to set up statewide meetings for applicants. In another case, the regional office may hold several meetings within a particular State or throughout its area in selected States to which would be invited all applicants on the basis of their proximity to a given location.

   a. Regional Commissioners are responsible for notifying and inviting both potential LEA and nonprofit group grant applicants to attend the information dissemination conferences and/or meetings scheduled for a given State, part of a State, region, or area of a region.

   b. ESA Directors will develop plans for and schedule the initial large-group information meetings on the basis of the regions' individual needs.

   c. The group sessions will include both potential LEA and community group applicants. To emphasize the program policy that local educational agencies and nonprofit groups will be required to develop a comprehensive approach toward the school district's needs, separate meetings for the two types of applicants are not to be scheduled.

3. Chief State School Officers and concerned members of State educational agencies are to be invited to attend and encouraged to participate in the initial pre-application technical assistance sessions.

4. Regional contracting officers, regional attorneys, other OE staff with special expertise (e.g., Title I and Bilingual specialists), and Office for Civil Rights specialists should be included among those persons participating in large-group information dissemination conferences.

5. The agenda for all group sessions will include explicit dissemination of information concerning ESAA regulations, ESAA Program Manuals, guidelines for application, and application forms. OCR specialists should be present to explain the civil rights aspects of ESAA. Any other useful data which the ESA Director deems relevant may be included on the agenda.

6. Informational materials including regulations, manuals and application forms will be distributed to the regional offices from the Bureau of Equal Educational Opportunity (BEEO). Regional offices may prepare additional informational materials if they wish to do so; however, they should clear such materials with Washington to ensure that the information contained therein is not contradictory to policies established by the Deputy Commissioner for School Systems' Office.

7. Washington staff will be available on request to assist regional office staff at all sessions.

B. Individualized Pre-application Technical Assistance

1. Following the general information dissemination meetings and/or conferences outlined above, ESA Directors will be responsible for having staff available to render individualized technical

assistance to applicants who may wish such help. In cases where ESA regional manpower resources are not sufficient to respond to the number of requests, the ESA Director may seek additional personnel from Washington.

2. Where possible, State educational agency staff and university center personnel should be encouraged by the ESA Director to assist program officers in rendering technical assistance to clients. In this case, it is advisable for ESA Directors to develop training programs for support staff personnel from other agencies and institutions. The State educational agency should always be notified of and invited to participate in all technical assistance visits to local education agencies.

3. Individualized pre-application technical assistance should provide clients with services such as those listed here:

   a. Assistance in completion of applications including advising on the development of a viable and comprehensive application.

   b. Advising on the development of broad-based community support.

   c. Dissemination of information on successful programs and practices designed to overcome the disadvantages of minority group isolation.

   d. Helping to formulate programs under the authorized activities that will eliminate, reduce or prevent minority group isolation and will improve the quality of education for all children at the same time.

   e. Recommendations for curricular and organizational changes, if requested.

f. Advising the applicants on the development of the Problem Identification Guide and assisting in identifying problems incident to desegregation and isolation.

g. Consultation on educational implications of desegregation and minority group isolation.

h. Recommending resources capable of providing expertise in specific program areas.

i. Encouragement of State educational agencies' leadership in assisting with application development and program planning for their clients.

j. Coordinating efforts of other Federal programs and assisting with applications for funds to advance quality education.

C. Technical Assistance for Applicants Recommended to Resubmit Applications

1. All applicants whose applications are recommended by either the Regional Commissioner or the Associate Commissioner to be resubmitted must be offered technical assistance for the redesign of their proposals.

2. Such applicants will be notified by the Regional Commissioner by letter including specific reasons why their proposal has been recommended for resubmission.

   The ESA Director will assign a program officer to work with clients who are advised to resubmit their applications. The program officer must give the applicant whatever help is needed.

3. Documented records must be made in detail by the program officer of all contacts between the ESA office and the applicant including any and all suggestions, recommendations and the like, made to the applicant. (Use OE Form 236, Memorandum of Conversation for Application Case File.)

II. The Application Processing Flow

A. General

1. All Emergency School Aid Act (ESAA) applications will be submitted to OE Regional Offices and should be processed in accordance with procedures set forth in this Section of the Manual.

2. All applications for assistance under the Emergency School Aid Act must be submitted within the specified batching (deadline) dates to be considered for funding in the particular batch.

3. Batching dates will be established by the Deputy Commissioner for School Systems. The following dates have been set for Fiscal Year 1973:

   Batch 1 - Applications due no later than December 26, 1972; funding decisions no later than January 31, 1973. (Funding for the period February 1, 1973 - June 30, 1974.)

   Batch 2 - Applications due no later than March 5, 1973; funding decisions no later than April 20, 1973. (Funding for the period July 1, 1973 - June 30, 1974.)

   Batch 3 - Applications due no later than May 2, 1973; funding decisions no later than June 15, 1973. (Funding for the period July 1, 1973 - June 30, 1974.)

   The batching dates for processing applications submitted during Fiscal Year 1974 will be transmitted from Washington to the Regional Commissioners for each batch.

4. It will be necessary for regional office staffs to adhere to the procedures set forth herein in order to complete processing of applications within the time period allowed. Rigid observance of this time-period is especially important in view of the revised procedures prescribed for notification to

applicants regarding disposition of their applications.

5. Appendix D is the ESAA Administrative Application Flow Chart which diagrams the processes described in Section 4 of the manual.

B. Regional Office Functions

1. The Regional Control Unit

   a. A Regional Control Unit shall be established in each Regional Office which shall be responsible for the receipt, control, tracking, and distribution of applications throughout the review and recommendation process.

   b. The Regional Control Unit shall be responsible for maintaining an accurate control record for each application received in and sent out from the Regional Office.

   c. The official Application Case Files for each applicant will be located in the Regional Control Unit of each Regional Office. (See page 4-II-11 which provides detailed instructions for preparation and content of the Application Case File.)

   d. Specific procedures to be implemented by the Regional Control Unit in executing its responsibility for receipt, control, tracking, and distribution of applications are delineated in the following paragraphs.

2. Receipt and Distribution of Applications

   a. Application Intake Procedures

      (1) All applications for grants under P.L. 92-318, the Emergency School Aid Act will be submitted in ten (10) copies to the appropriate Regional Office for the State

in which the school system or organization is located.

(2) Upon receipt of an application, the Regional Control Unit will record officially its submission by performing the following functions:

(a) Time-and-date-stamp each copy of application.

(b) Assign a Project Number sequentially to each application from authorized control numbers. (See Appendix C for detailed information concerning project numbers.)

(c) Stamp each copy of application "ORIGINAL."

(d) Number each copy of application; the copy with original signatures should be numbered Copy #1.

(e) Enter on OE Form 135, Master Control Log.

(f) Prepare Application Case File Jacket.

(g) Prepare OE Form 136, Application Check Sheet.

(h) Prepare and mail letter to applicant acknowledging receipt of the application. (See format for acknowledgement letter in Appendix B.)

b. Initial Distribution and Processing Procedures

(1) Upon completion of functions described above, the Regional Control Unit will carry out distribution of the application in the following sequence:

(a) The Regional Control Unit will hand-carry Copy #3 of the application with OE Form 138, OCR Verification of Applicant's Plan Status, to Regional Office for Civil Rights immediately after completing the intake precedures. The completed OCR Verification of Applicant's Plan Status must be returned to the Regional Control Unit within 48 hours after delivery to the Regional OCR.

(b) The Regional Control Unit will transmit the Application Case File including Copy #1 (containing original signatures) and Copy #9 of the application, to the ESA Director immediately after completing the intake procedures.

(c) Each Regional Control Unit must transmit to Washington by telecopier daily (up to and including the batch deadline date), a list of all applications received by C.O.B. of the previous day. OE Form 237, Daily Application Receipt Report will be used for this report which must be received by noon each day.

(d) After return of the OCR Verification of Applicant's Plan Status from OCR indicating that the school district is qualified to apply for assistance, the Regional Control Unit will distribute the remaining copies immediately, as indicated below:

Copy #2 - with duplicate copies of OE Form 235, Transmittal Form For State Educational Agency Comment, attached, will be forwarded to the State educational agency for comment. A copy of this form is to be placed in the Application Case File at this time.

Ten (10) days are to be allowed for return of OE Form 235 completed from the State educational agency. The copy of the form returned from the State educational agency for each application is to be filed in the Application Case File.

In the event this form has not been returned to the Regional Office at the time the application is forwarded to the Regional Commissioner, its absence should be noted in the appropriate space on OE Form 238, ESA Application Transmittal Sheet.

Copy #4 - to Contracting Officer (hand carry)

Copies #5, 6, 7, and 8 - to the Educational Quality Rating Panel (to be distributed when non-Federal panel assembles for training briefing).

Copy #10 - to OE Washington

(2) Upon return of the OCR Verification of Applicant's Plan Status form from OCR indicating that the district's plan is acceptable for consideration under the Act, the ESA Director will distribute Copy #1 to the Program Officer assigned to or responsible for the area or State.

(a) Program Officers should examine Copy #1 carefully for completeness and legibility and complete Items 1-15 (Nonprofit Group Application, Items -22) of the Application Check Sheet.

(b) Program Officers have responsibility for obtaining any application data noted as missing or illegible on the and fill out Part I of the Application Check Sheet.

(b) Program Officers have responsibility for obtaining any application data noted as missing or illegible on the Application Check Sheet; and will contact the applicant immediately by documented telephone conversation (use OE Form 236, Memorandum of Conversation for Application Case Files), to request submission of missing data or legible copies of forms. Program Officers will be responsible for follow-up with regard to completeness of application.

(c) Copy #1 should be returned to the Regional Control Unit for retention in the Case File until completion of review process at which time a Program Officer will be responsible for the inclusion of all amendments to Copy #1. Copy #1 must not be marked-up or altered in any way. All corrections or additions necessary must be in the form of amendments to Copy #1. All amendments to Copy #1 must be so marked (e.g., Amendment #1 to Copy #1, Amendment #2 to Copy #1, etc.)

(3) OCR Determination of Improper Plan Status of Applicant

(a) If OCR determines that an applicant's plan does not fall under any of the criteria as designated in the legislation, the applicant must be notified officially in writing by the Regional Commissioner. Such notification must be made within five (5) days after the OCR determination that the district is not qualified for consideration under the Act.

(b) The letter that is to be used for notifying such applicants should be prepared in OCR for the Regional Commissioner's signature. All such letters are to be cleared by the Regional Education Branch Chief (OCR).

(c) Letters are to be delivered to the ESA Director for transmittal to the Regional Commissioner.

3. Disposition of Applications Subsequent to Completion of the Review Process

a. Regional Control Unit Preparation

(1) Upon completion of the review process, all copies of applications will be returned (with the reviews and ratings attached) to the Regional Control Unit with the exception of the OCR Copy #3 which should be retained in OCR for reference file copy.

(2) Regional Control Unit will log in copies of applications on the Master Control Log as they are returned to the Unit. Each review or rating form will be stamped with date and time of receipt in the Regional Control Unit.

(3) The Regional Control Unit will prepare the Application Case File (containing Copy #1 of application with all required signatures) by placing in it all review and rating forms, and amendments. The Application Check Sheet, with all items completed shall be included in the Application Case File at this time. A copy of OE Form 238, ESA Application Transmittal Sheet will be attached to the cover of the Case File. The Case File will be logged out to the ESA Director for final

preparation prior to transmittal to the Regional Commissioner.

(4) Part I of PGIS Media 36 will be prepared for all applications on the basis of the applicants' requested funding amount. The forms are to be held in the Regional Control Unit until the OE-Washington Decision Memorandum is returned.

b. Preparation of Application Case File for Transmittal to the Regional Commissioner

(1) The ESA Director will have OE Form 243, Abstract of Application and the ESA Application Transmittal Sheet completed for each application; these forms will be attached to the Case file. The ESA Director will sign the Application Transmittal Sheet.

(2) A separate ESA Application Rating Summary Chart (OE Form No. 139) should be prepared for each State in the Region, by type of application. Each application is to be listed on the chart in descending order based on its composite score which will be derived from all of its ratings. All applications received for a particular batch including those recommended for resubmission, legal hold, fiscal hold, or program hold must be included on this chart. Recommended funding levels shown on these charts should be rounded to the nearest dollar.

(3) The completed Application Case Files and the ESA Application Rating Summary Charts should be hand-carried to the Regional Commissioner for his review and recommendation to the Associate Commissioner.

(4) Comments submitted by State educational agencies should be reviewed carefully by the ESA Director. He/She should note any problems indicated in such comments and bring them to the Regional Commissioner's attention.

(5) The ESA Director has sole responsibility for the completeness, accuracy, and legibility of the application, attachments, and amendments transmitted to the Regional Commissioner for his review and recommendation. Application Case Files must be received in the Regional Commissioner's offices by C.O.B. of the Monday preceding the Friday designated for receipt of applications in Washington by the Associate Commissioner.

(6) OE Form 240 Application Budget Breakdown by Special Categories, is to be prepared for each of the four types of applications and submitted to BEEO no later than two (2) weeks after transmittal of the Recommendation Memorandum to the Associate Commissioner.

c. Transmittal of Applications from Regional Commissioners to the Associate Commissioner

(1) After receiving applications transmitted with supporting data from the ESA Director, the Regional Commissioner shall prepare the Recommendation Memoranda **which** will reflect his/her recommendations for action to be taken on each application submitted for his/her review. See OE Form 239 Recommendation Memorandum.

(2) The Recommendation Memoranda shall include detailed reasons for recommendations of resubmission, legal hold, fiscal hold, or program hold.

(3) A separate Recommendation Memorandum should be prepared for each State in the Region, by type of application, as listed below:

(a) Basic LEA grants
(b) Bilingual project grants
(c) Pilot project grants
(d) Nonprofit group grants

(4) An ESA Application Rating Summary Chart for each type of application, by State, must be attached to each Recommendation Memorandum.

(5) The Regional Commissioner shall submit the following data to the Associate Commissioner.

(a) A Recommendation Memorandum by State for each of the four types of applications, by State, with ESA Application Rating Summary Chart, attached.
(b) An Abstract of Application for each application listed on the charts.

(6) All recommendations to the Associate Commissioner for applications received in a particular batch must be submitted by courier in sufficient time to reach the Associate Commissioner's Office no later than the Friday preceding the Friday designated for the funding announcement.

d. Preparation and Content of the Application Case File

(1) General

Maintenance of a complete and accurate Case File in the Regional Control Unit for each application is imperative. The Case File must be current at all times because it is the single, comprehensive record pertaining to a particular application. The Case File jacket shall be a six-part filing folder with a hard-board cover. Each of the parts will contain specific data relevant to the application.

The Regional Control Unit shall have final responsibility for maintenance of the Case File in a current and orderly condition.

The Application Case File Check Sheet (OE Form 149), is to be completed by the Program Officer. It should be kept in Part 6 or the Case File.

(2) Contents of File

(a) Part 1 - Application

- (1) Copy #1 of the application as originally submitted by LEA
- (2) OCR Verification of Applicant's Plan Status Form
- (3) Application Check Sheet

(b) Part 2 - Compliance Data

- (1) Desegregation Plan
- (2) Court Order, or order of Agency or official of competent jurisdiction, or copy of school board resolution or evidence of final official action of approval and agreement to implement a plan contingent upon award of assistance

(3) OCR and/or Department of Justice Compliance Review Report(s)
(4) Other related materials (complaints, etc.)

(c) Part C - Application Review

(1) Completed Statistical Data Rating Forms with signed worksheets
(2) Non-Federal Educational Quality Review Panel's Evaluation Forms, completed
(3) Contracting and Program Officer's Administrative Review of Budget Form, completed
(4) Pre-Grant Site Review Report, if any
(5) SEA Transmittal Form and Comments, if any
(6) Regional Commissioner's Recommendation Memorandum with supporting chart(s)
(7) OE-Washington Decision Memorandum (to be included when final decision is returned from the Associate Commissioner's Office)

(d) Part 4 - Communication and Correspondence

(1) Memoranda of all telephone conversations related to negotiating application modifications or requesting additional data.
(2) Copies of all outgoing and incoming correspondence concerning application negotiation
(3) Notification of grant award
(4) General correspondence related to the applicant/grantee

(c) Part 5 - Reports (to be developed and submitted after grant has been awarded)

(1) Evidence of publication of applicant's proposal
(2) OCR Statistical Reports
(3) BEEO Monitoring/Review Reports
(4) Applicant's Final Report
(5) Commissioner's or Outside Agency Evaluative Report
(6) Other required Reports

(f) Part 6 - General

(1) Case File Check Sheet
(2) General background information and/or other miscellaneous papers

4. Regional Responsibility for Processing Applications Subsequent to Receipt of OE-Washington Decision Memorandum.

a. The Associate Commissioner's decision with regard to the funding or non-funding of an applicant will be transmitted to Regional Commissioners by telephone from his office. Telephone notification will be followed up officially with transmittal of a Decision Memorandum for each State, by type of application, from OE-Washington to the Regional Commissioners.

b. The Regional Commissioner's Office shall transmit a copy of each Decision Memorandum to the ESA Director who shall be responsible for final disposition of applications as indicated below.

(1) Applicants Approved for Funding

(a) Preparation of Part II of the PGIS form for each approved application

(b) Transmittal of the application with all attachments to the Regional Contracting Officer for notification procedures.

(2) Applicants Recommended for Resubmission, Fiscal Hold, Legal Hold or Program Hold.

(a) ESA Director will prepare notification letters to applicants who may resubmit or have been placed in Program Hold or Fiscal Hold in accordance with procedures outlined in C (3) below. Letters to applicants in Legal Hold will be prepared by the Office for Civil Rights for the Regional Commissioner's signature.

(b) In cases where the Decision Memorandum specifies that applicants have been placed in Program Hold or are to resubmit their applications, Program Officers shall be assigned to the projects for the purpose of giving technical assistance.

C. Specific Procedures for Notification to Applicants

Applicant notification procedures prescribed herein are those set forth under OE Directive 2-35 (Revision) August 1, 1972, "Procedure for Notification of Discretionary Grants and Contracts Awards," from the Deputy Commissioner for Planning, Evaluation, and Management.

(1) Responsibility for Notification

(a) The Regional Contracting Office has sole responsibility for notification of application approvals.

(2) Notification to Approved Applicants

(a) Upon signing the award document, the RCO reproduces copies of the cover sheet in accordance with the distribution described below. The RCO may not notify recipients of awards until at least 48 hours after the notification of such awards has been received by the Office of Congressional Liaison, OS. THE OFFICE OF CONGRESSIONAL LIAISON (OCL) WILL NOTIFY MEMBERS OF CONGRESS.

(b) The RCO transmits one copy of the cover sheet to the Office of Congressional Liaison by use of a telecopier. NOTE: It is mandatory that upon completion of transmission, the RCO then sends two copies of the cover sheet to the individual or organization providing public information services at the regional office.

(c) Upon receipt of notification that an award has been made, the regionally located public information individual or organization will determine its news value if any, arrange for preparation of a press release, for coordination with proper program officers, and for actual release. In no case will the press release be issued prior to two days after the date on which the notification was received by the Office of Congressional Liaison.

(d) At the end of the 48-hour waiting period, copies of the cover sheet will be distributed by the RCO via normal mail distribution channels, as follows:

-- Immediate Office of the Commissioner	2 copies
-- Office of Legislation	20 copies
-- OE Regional Commissioners	2 copies
-- Deputy Commissioner for School Systems	2 copies
-- Assistant Commissioner for Regional Office Coordination	1 copy
-- Associate Commissioner for Federal-State Relations	2 copies
-- Chief State School Officer(s) as appropriate of the State(s) concerned	2 copies

(3) Notification to Applicants Recommended for Resubmission, Legal Hold, Fiscal Hold, or Program Hold

(a) The Regional Commissioner will notify in writing all applicants whose applications are recommended for resubmission, Legal Hold, Fiscal Hold, or Program Hold. A copy of the notification letter must be sent to the appropriate Chief State School Officer.

(b) Notification letters to such applicants must not be form letters, but will be personalized responses giving clear and specific reasons for the action recommended. Each letter should include constructive advice to the applicant concerning his efforts to obtain a grant. Technical assistance must be offered to applicants who are advised to resubmit their applications.

(c) Regional offices should prepare letters to applicants recommended for resubmission and Program Hold immediately following transmission of the Recommendation Memoranda to Washington. Such letters should be held in the regional offices until receipt of the Decision Memoranda from Washington transmitting the Associate Commissioner's decisions for funding or non-funding.

III. Application Evaluation Process

A. Pre-grant Application Evaluation Procedures

1. General

a. All applications received from local educational agencies (LEA) and nonprofit groups for Emergency School Aid Act grants will be reviewed in the Regional Offices.

b. The criteria to be used in reviewing applications for Emergency School Aid Act grants are delineated in Section 710(c) of the Act. Essentially, these criteria focus on (1) the LEA's need for assistance, (2) the extent and comprehensiveness of efforts to reduce racial isolation in the school district, and (3) the educational quality of the activities for which funds are being requested.

c. These criteria will be applied through careful review by OE regional program and contracting officers, the use of non-Federal panels and Regional Office for Civil Rights specialists. Recommendations for levels of funding will be made by the appropriate Regional Commissioner to Washington with final grant approval resting with the Associate Commissioner.

d. Each application will be subject to five (5) separate reviews to be carried out in the Regional Office. These reviews are designed to assign ratings in accordance with specific criteria.

e. The five (5) application reviews for which the Regional Office will be responsible are outlined below:

(1) The Statistical Data Review and Rating -- Rating of application with regard to the school

district's need for assistance and the extent and comprehensiveness of its efforts to reduce racial isolation. The evaluation will be computed in accordance with criteria outlined in the rating scales provided for this purpose.

(2) Pre-Grant Site Review -- All applications for grants in excess of $500,000 must have a pre-grant site review immediately upon receiving verification from OCR that the district's plan qualifies it for consideration under ESAA. Where manpower capability exists, applications for grants of $200,000 to $500,000 should have pre-grant site reviews. Other applicants may be subject to pre-grant site reviews in those cases where the ESA Director deems such necessary to obtain additional information needed to complete the review process.

(3) Educational Quality Review and Rating -- This review will be made by a panel of four (4) non-Federal persons whose primary concern will be assessing the quality of the educational program proposed in the application.

(4) Administrative Review of Budget -- A review to be made by the Contracting Officer(s) in conjunction with the Program Officer(s) in the Regional Offices to determine that a need for assistance exists and to verify costs for various activities proposed in the application.

(5) The Office for Civil Rights Compliance Status Review and Report -- A review of the application by Regional Office for Civil Rights with regard to the compliance status of the applicant district.

f. All ratings will be summarized on OE Form No. 139, ESA Application Rating Summary Chart prepared by the ESA Director.

2. Specific Review Procedures

a. The Statistical Data Review and Rating

(1) The Statistical Data Review and Rating will be performed in the Regional Control Unit. OE Form No. 140, ESA Statistical Data Rating Form, will be completed by a program officer for all applicants. The form must be signed in the appropriate space by the ESA Director.

(2) The criteria for computing the Statistical Data Rating are set forth in the Rating Scale for Basic LEA and Pilot Project Grants and the Rating Scale for Nonprofit Groups Projects. Both rating scales are included under Appendix A.

(3) Statistical Data Ratings for Nonprofit Groups -- Applicants for nonprofit group grants (community groups, etc.) shall indicate if the supported LEA has submitted an ESAA application. If the LEA has, the Statistical Data Rating for the applicant shall be taken from the LEA's rating. If the LEA has not submitted an ESAA application, the applicant must provide the required statistical data and a program officer will compute a rating for the applicant.

In the event that the applicant for a nonprofit group grant proposes to support more than one (1) LEA, the following method will be used to compute Statistical Data Rating. The Statistical Data Rating Scores for each of the LEA's involved are to be added together and the total divided by number of LEA's involved. The result will be the Nonprofit Group applicant's Statistical Data Rating Score.

b. Pre-Grant Site Reviews

(1) The ESA Director is required to conduct pre-grant reviews of all grant applications of $500,000 or more immediately upon receiving OCR's notification that the applicant is qualified for consideration under ESAA. Where Regional Offices have the manpower capability, ESA Directors should initiate pre-grant site reviews of applicants requesting financial assistance from $200,000 to $500,000.

(2) In those instances in which the Director desires additional information concerning the application or the applicant, he/she may dispatch a team to conduct a pre-grant site review in order to obtain needed data. There is no dollar limit for pre-grant site reviews for the purpose of securing additional information. Reviews of this type will most likely be scheduled following the panel review. However, in certain instances, pre-grant site reviews occasioned by the need for additional information should be undertaken immediately after OCR notification that the applicant is qualified for consideration under the Act.

(3) Pre-Grant Site Review Teams should comprise an adequate number of personnel from the ESA Office and other Regional OE Offices, as required. It is not necessary for the Pre-Grant Site Review to be a joint OCR/ESA visit; however, all Pre-Grant Site Reviews should be coordinated with OCR. If the applicant is a local educational agency, an invitation should be extended to the appropriate State educational agency to accompany the team during the review. The ESA Director will select an ESA Program Officer who is familiar with the district's desegregation plan to serve as Team Leader. The ESA Director with assistance from the Team

Leader will organize and develop a Pre-Grant Site Review Team utilizing personnel from the ESA, OCR (if necessary), and, where appropriate, other OE Offices. Each team member regardless of organizational affiliation must be knowledgeable of the applicant's desegregation plan and ESA application.

(4) Once the team has been organized, the ESA Director will notify the applicant district as to the dates of the review and schedule interviews with appropriate applicant personnel.

(5) Instructions for Pre-Grant Review Teams

(a) The ESA Director either upon receiving notification from OCR that the applicant district qualifies for consideration under the Act or following the panel review will initiate the pre-grant site review.

(b) The Team Leader will be responsible for conducting the review and the preparation and completion of all reports pertinent to the review.

(c) All Pre-Grant Site Review Teams will complete OE Form 242, Pre-Grant Site Review Report which will include information concerning the applicant's management capabilities, investigation of possible duplication of program services, validation of statistical data, needs assessment, and other information that may be requested by the ESA Director to complete evaluation of application. All information to be placed on this form from the application must be filled in under the "Data on Application" Column, prior to the review.

It may appear that all information contained in the Pre-Grant Site Review Form is not germane to the objectives and scope of work in the application, however, this form is designed to provide OE with a more in-depth and comprehensive picture of the applicant district. The form may be used for site reviews of the several types of grants available under ESA. The Pre-Grant Site Review Report will be submitted to the ESA Director within 24 hours after the review has been completed and will be made part of the Application Case File.

(d) The Team Leader is responsible for conducting an information/training session for all team members prior to site reviews. These sessions should cover the following areas:

(a) The applicant's desegregation plan
(b) All aspects of the ESA application
(c) How to use the review instrument
(d) Where the necessary information may be obtained
(e) Assigning team members to meet with specific applicant personnel
(f) A schedule of team meetings during the review

(6) Should any irregularities pertaining to the application or applicant be discovered as a result of the review, they are to be documented on the Pre-Grant Site Review Report and reported to the ESA Director. The ESA Director will apprise the Regional Commissioner of any such irregularities. With regard to such applications, the Regional Commissioner should recommend that they be placed in either Legal Hold or Program Hold pending resolution of the problem(s).

c. Educational Quality Review Panel Rating

(1) General

(a) The quality of each application will be reviewed and evaluated in the Regional Office by a four-member non-Federal panel. Selection of panel members will be based on the individual's experience in both areas of educational quality and school desegregation. It is required that each non-Federal panel be bi-ethnic or multi-ethnic and representative of diverse educational skills and interests. This is deliberate, in order to bring to bear the knowledge and experience of all the contributors to our society, which is vital to the realization of our objective of providing quality education for all groups.

(b) A single panel shall review for educational quality all parts of an individual local educational agency or nonprofit group application.

The same panel should be used to evaluate the several types of applications with exception of those with Bilingual/Bicultural components. In establishing rating panels, the Regional Commissioner should establish at least one panel which has particular expertise in bilingual education. All projects with a bilingual component will be rated by those panels, but the panel will also rate the other components of the application as well.

(c) In scheduling applications to be reviewed by a panel, an effort shall be made to have all applications from an individual State reviewed by the same panel or by a minimum number of panels. Workload and the requirement for Bilingual/Bicultural expertise will make this difficult but under ideal conditions all applications from one State would be reviewed by one panel. To the extent that it is feasible, if the LEA and the nonprofit group application are in the same batch, both should be rated by the same panel.

(d) In cases where the nonprofit group's application is in a different batch from the LEA's, the panel should have the LEA's application before it during the review.

(e) The Regional ESA Director will convene the Educational Quality Review Panel session(s). He/She should introduce the assigned program officer to the panel and explain his/her relationship to the group. The program officer(s) responsible for or familiar with the district(s) will meet with the panel as a resource person only to provide information but will refrain from making subjective evaluative comments concerning the quality of the application(s) under review. Program Officer(s) will not participate in the review or rating of an application.

Those present in the panel reviewing room and voting will include:

1 classroom teacher
1 building principal, assistant superintendent or superintendent of schools

1 representative of the community
    outside of the school
1 representative selected from
    these categories:
        SEA staff member, curriculum consultant, director of instruction, a college or university professor, or a student

(f) Conflict of Interest -- Although it is unlikely, there is the possibility that a member of the panel may find before him/her the application from his/her own district or organization, from a district or organization in which he/she was formerly employed, or in which a member of his/her immediate family is or was employed, or a district or organization in which he/she or a member or members of his/her immediate family are to be employed. Should this occur, such members shall immediately disqualify themselves from consideration of the application, informing the assigned program officer of their decision, who will in turn notify the ESA Director. Meanwhile, the remaining members of the panel will proceed with their rating, pending selection of an impartial panelist to rate such application.

The following procedure is to be used in the event that a panel member is not qualified to review a particular application. The Regional Commissioner will utilize a member from another panel to fill in for that specific application. If no other panel is meeting in that region, the Regional Commissioner shall appoint a well-qualified member of the Office of

Education from a staff other than the Equal Educational Opportunities Staff. Such a staff member should, however, receive appropriate training for reviewing applications before he/she is assigned to a panel. In cases where substitution of a panel member is warranted, the composition of the panel must follow the guidelines set forth above.

State Education agency staff members may not review applications from their respective States. SEA staff may be present when panels review applications from their State, but are restricted to providing upon request of the panel objective data regarding the application.

(2) Procedures for the Selection and Training of Non-Federal Panels

(a) Non-Federal Panel Selection

(i) Regional Commissioners are charged with the responsibility and authority for selecting panel members in accordance with guidelines set forth by the Deputy Commissioner for School Systems.

(ii) Each regional panel shall consist of four members and should include a representative of the community outside of the school; a classroom teacher; a building principal; assistant superintendent or superintendent of schools; and one representative who may be either a curriculum consultant, director of instruction, college or university professor, SEA staff member, or a student. (The SEA staff member may not review applications from his/her State.)

(iii) At least one panel member and not more than two shall be from the same State as the application being reviewed. No other geographical restriction will be placed on the Regional Commissioner in the selection of panelists.

(iv) The regional panels should represent a balance of men and women who reflect the clients to be served and who have experience and sensitivity relating to the types of projects being reviewed. All panels should be of bi-ethnic or multi-ethnic composition regardless of project assignment. (For example, a panel might be composed of a white classroom teacher, a black building principal or superintendent of schools, a Spanish-surnamed university professor and a nonwhite community representative.)

(v) Except in the case of Bilingual/Bicultural grant applications, the same panel should be used to rate Basic LEA Grant, Pilot Project and Nonprofit Group Grant applications.

At least one or more panels with Bilingual/Bicultural expertise should be established in Regional Offices which anticipate grant applications with Bilingual components. All projects with a bilingual component including Basic LEA Grant applications with Bilingual aspects will be rated by these panels. However, the Bilingual/Bicultural panels must have Pilot Projects and Basic LEA Grants expertise inasmuch as they will rate the entire application.

All other panels must have expertise to rate applications for Basic LEA and Pilot Projects as well as applications for Nonprofit Group Grants. These panels will not rate applications with Bilingual/Bicultural components.

(b) Training of Non-Federal Panel Members

(i) Regional Commissioners have the responsibility for training Educational Quality Review Panels.

(ii) The expertise of the respective divisions of BESE should be utilized in training the panels which will review Bilingual/Bicultural and Racial Isolation Pilot Projects. However, the expertise of BEEO must be utilized in training all panels because all panels will review the Basic Grant portion of all applications.

(iii) Training sessions for panels should focus on the following objectives:

-- The application of quality criteria to the proposal.
-- Application of the rating scales.
-- Judging the integral relation-

ship of the proposal to other components of comprehensive LEA programs.

(iv) Although it is preferred that Educational Quality Review Panels be trained at the Regional level, because of manpower constraints, it may be necessary to conduct some of the training sessions in Washington.

(3) Detailed Instructions for Educational Quality Review Panels

(a) Non-Federal Panel Activities

(i) The Non-Federal panel will rate ESA applications as to the quality and comprehensiveness of the educational activities and their relationship to the district's desegregation problems. This will be done on the basis of a carefully designed rating criteria scale.

(ii) Each panel member must be provided with a complete copy of the application including a copy of the desegregation plan. A copy of the completed Administrative Review of the Budget should be attached also. Where appropriate, a copy of the pre-grant site review report should be given to the panel members.

(iii) The function which the panel will perform is one of several steps in the management process, many of which have already been executed, including determination of the applicant's eligibility for consideration under the Act. It is the panel's function to review the need for assistance as a check on the work of the program and contracting officers. The panel may make additional recommendations only for reduction in expenditures it deems to be inconsistent with the purpose of the Act.

(iv) It is essential that members of the panel be thoroughly familiar with the desegregation plan which the district is implementing. They should familiarize themselves with the sections that are related to the application under review. The evaluation of the educational component of the application is directly related to the plan. It is for the panel to determine if the educational quality of the program or activity complements are supportive of the desegregation plan, as well as whether it has the necessary ingredients and design to accomplish its stated objectives. It is not, however, within the purview of the panel to make value judgments concerning the desegregation plan.

(v) The panel will make a threshold evaluation on the quality of the application. If the panel feels the application has insufficient merit to afford promise of achieving the purposes of the Act, they will fill out and submit OE Form 141, Educational Quality Panel Recommendation for Application Resubmission to the program officer. The program officer will transmit this recommendation to the applicant and offer further technical assistance in redesigning the project.

(vi) If the panel believes that the application has merit, it will be started in the review process and its members will independently rate the quality of the application. The categories to be used in judging the quality of applications for Basic LEA, Pilot Project, Bilingual/Bicultural and Nonprofit Group grants are listed below:

Needs Assessment
Objectives
Activities
Resource Management
Evaluation
Replicability (pilot projects only)

Panel members will rate each separately, according to the points allotted for each. The rating is to be the individual panel member's and his alone.

The specific criteria to be used in determining the quality of applications for either basic LEA grants, pilot projects or bilingual/bicultural projects are delineated in the Quality Criteria for Basic LEA and Pilot Project Grants, and the Quality Criteria for Nonprofit Group Projects on the following pages. The Quality Criteria for Bilingual/Bicultural Projects will be transmitted to regions at a later date.

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vii) Should any panel member propose during initial discussion of the application that one or more major activities be excluded, the decision to drop the activity will be based on concurrence of a majority of the panel on the recommended elimination. In cases where the panel recommends exclusion of certain components of the project, they should prepare OE Form 142, Recommendation for Deletion of Project Component(s). The panel will refer the matter to the program officer who will contact applicants immediately and notify them of panels' decision. Applicants should be offered a choice of either agreeing to the modifications and having project rating continue; or to receiving additional technical assistance with the understanding that the project will be rated after redesign of indicated component(s). Choosing the latter course of action may necessitate the application's being rated in a subsequent batch, thus, the applicant must be advised of this possibility.

(viii) Panel members are instructed to complete an OE Form 143, Educational Quality Rating Form for each specific category under review. (For example, when rating the Activities category of a basic grant application the Educational Quality Rating Form (Category Activities) must be completed. Since point assignments differ among the several categories an applicant's final score may not be accurate if the wrong form were to be used. Always check the appropriate box to indicate the type application being rated.

(ix) Panel members must be sure that written comments on the rating forms are clear and precise, as they will be a factor in ascertaining the strengths and weaknesses of the program.

(x) Upon completion of an individual Educational Quality Rating Forms for each specific category, panel members must be sure to complete and sign the Summary (page 1 of the Educational Quality Rating Form) included in their packets.

(xi) Panel members will hand in all review forms to the program officer assigned to their review session.

(b) The Role of the Program Officer Assigned to A Panel

(i) The program officer assigned to the panel will be a member of the ESA Director's staff who will serve as a resource person only to the panel during the evaluation process. Because of his/her experience in working with a number of districts in the region by providing technical assistance and guidance on a continuing basis, the program officer is knowledgeable about the district, its characteristics as a community, and its desegregation plan.

(ii) As the panel proceeds with its evaluation and assessment of the application, the program officer will be the channel of communication between the panel and the applicant on the one hand, and between the panel, the ESA Director, and the contracting officer, on the other.

(iii) He/She is not to make any statements or comments to the panel members that could possibly influence their decision in rating the application. Further, in no circumstances, shall the program officer participate in the assignment of points for any of the categories under consideration during the evaluation. The program officer is to maintain a completely neutral position throughout the evaluation process.

(An example of the function of a program officer in servicing the members of the panel, would be that of contacting the applicant relative to a deletion or change in the educational activity proposed in the application. The program officer would contact applicant by telephone, apprise him/her of the fact that certain changes have been recommended in his/her application which is being reviewed. He/She would ascertain whether the applicant concurs with the changes, or whether he/she prefers that the application be returned to him/her for revision (in which case completion of the review would be delayed); or prefers to withdraw the application.

This telephone contact between the program officer and the applicant will be documented on OE Form 236, Memorandum of Conversation for Case Files and placed in the applicant's case file. At no time during the program officer's contact with the applicant will he/she reveal the names of any members of the review panel.

(iv) The program officer assigned to the review panel will collect the completed Educational Quality Rating Forms from each panelist. Using OE Form 241, Panel Review Summary Sheet, the program officer will then take each of the four panelist's total scores as indicated on the Educational Quality Rating Form Summary and mark them in the column designated Total Scores opposite the panel member's name. These four scores will then be totaled. To obtain the overall Educational Quality Rating Score for an application, the program officer will divide the total of the four scores by four(4) which is the number of panel members.

d. Administrative Review of the Budget

(1) Copy #4 of the application will be transmitted to the Contracting Officer for verification of activities and logistics costs outlined in application.

(2) The ESA Program Officer and the Contracting Officer will jointly review the application to determine that a need for assistance exists. The application must

show that funds requested are required to resolve problems incident to the reduction of racial isolation.

(3) Contracting Officers and Program Officers will complete OE Form No. 144, Administrative Review of Budget, indicating adjustments and approval of costs, assuming activities as outlined in the application are to be funded.

(4) School districts must be advised by program officers of budget revisions made prior to submission of application to Regional Commissioner.

(5) In cases where the Administrative Review of the Budget reveals that the funds requested are not related to resolving problems incident to reduction of racial isolation, the Program Officer must notify the ESA Director of this discrepancy. The ESA Director will advise the applicant immediately of the problem(s) inherent in the application. The applicant should be given the opportunity to resubmit another proposal or to revise the existing one and offered technical assistance with its development. If such action is necessary, a record of the contact with the applicant must be made on OE Form 236, Memorandum of Conversation for Application Case Files.

e. Office for Civil Rights Compliance Status Review

(1) Approximately twenty-five (25) days from OCR's receipt of Copy #3 of the application will be allowed for completion of the Compliance Status Review.

(2) A report on the Compliance Status of the applicant is to be prepared in the form of a memorandum from the Regional Director of the Office for Civil Rights to the Regional Commissioner.

(3) In the event that this report cannot be completed within the time specified above, the memoranda must ~~be~~ received in the Associate Commissioner's office no later than three (3) days after transmittal of application to Washington.

(4) The Regional Commissioner will note all applications that are transmitted to Washington without the Compliance Status report attached.

(5) It is imperative that the Associate Commissioner receive Compliance Status reports for all applications recommended by the Regional Commissioner for approval. Applications can not be considered for funding in the particular batch without the Compliance Status reports.

3. Modifications Subsequent to Educational Quality Rating Panel and Administrative Review of Budget Decisions.

a. Program Officer assigned as resource person will be responsible for notifying and assisting the applicant when program modification is necessary.

b. Program Officer responsible for effecting program changes will prepare a detailed memorandum or memoranda for the Case File covering all of his/her activities related to discussions with applicant.

c. When modification of the application is completed, the Program Officer assigned as resource person will be responsible for preparation of the application in the final form.

(1) The original signed copy #1 of the application should not be altered, erased or otherwise obliterated.

(2) All modifications made as a result of negotiations with the applicant must be attached to Copy #1 in the form of amendments.

(3) All amendments must be legible and clear so as to be read easily.

IV. Monitoring Procedures for Emergency School Aid Act (ESAA) Grants

A. General

Monitoring refers to the systematic and periodic process of reviewing, evaluating, and reporting the programmatic and fiscal operations of an approved, funded project. The primary objectives in monitoring ESAA grants are set forth below:

-- To determine whether programs, projects, or activities are being implemented as set forth in the grant application which has been approved and funded.

-- To determine whether the grantee is in continuous compliance with the program regulations and requirements.

-- To determine what action will be taken on any identified problems, possibly including technical assistance by EEO staff or by other components of the Office of Education.

-- To collect and analyze data on ESAA projects which may be used as a resource for overall program planning and evaluation.

B. Delineation of Responsibilities for Monitoring ESAA Grants

1. The Associate Commissioner for Equal Educational Opportunity is responsible for development and dissemination of uniform, nationwide policies and procedures for monitoring ESAA grants.

2. Regional Commissioners are responsible for implementation of the monitoring policies and procedures for ESAA grants, as established by the Associate Commissioner for Equal Educational Opportunity.

3. Role of the ESAA Program Manager

    a. The ESAA Program Managers are responsible for supervision of regional program officers in their execution of the monitoring process. He/she should assign the responsibility for continuous monitoring of each grant to a specific program officer immediately upon notification to applicant of the grant award.

    b. In addition, ESAA Program Managers are responsible for preparation of the summary quarterly reports on monitoring activities, which the Regional Commissioners will submit to the Associate Commissioner.

c. In the event that it is necessary to take formal enforcement proceedings against a grantee as a result of monitoring procedures, the ESAA Program Managers may be asked to recommend proper corrective action to the Regional Commissioners and to the Office of General Counsel (OGC). ESAA Program Managers are responsible for providing any supportive data for such cases which is requested by the Regional Commissioner or OGC.

4. Role of the Regional Program Officer

a. The regional program officers will carry out all aspects of the monitoring process for each assigned grant, unless assistance is requested from Washington by the Regional Commissioner.

b. He/she is responsible for monitoring the progress of the program, the fiscal administration of the grant, and the grantee's compliance with the regulations for the duration of the project period.

c. Each program officer is responsible for conducting at least two site reviews of each of the grantees which he/she is monitoring. Following each such review, he/she will submit to the ESAA Program Manager and to the grantee a written report (in the form of a follow-up letter) containing the results of the site review.

d. He/she will also analyze the incoming quarterly reports submitted by grantees which he/she is monitoring. Information contained in those reports and information gained from the site reviews will be included in the region's quarterly summary reports.

e. Regional program officers will be responsible for any follow-up activities on problems identified either as a result of site reviews or the examination of the grantee's quarterly reports.

5. ESAA Grantee's Responsibilities

a. Each grantee will prepare and submit a report each quarter on program progress and a separate quarterly report on financial status.

b. In addition to routine reporting, the grantee is to inform the regional office immediately of any problems, delays, or adverse conditions which prevent or delay the achievement of program objectives or the fulfillment of time schedules for major events. Such disclosures are to be accompanied by a statement of the action taken or contemplated to be taken and any Federal Assistance needed to resolve the situation.

c. Each grantee is responsible for providing data which is necessary for site reviews when requested by regional program officers. Such data may include personnel and any other records pertinent to the grant project.

d. Each grantee is required to discuss with appropriate OE officials and negotiate any proposed changes in the program. Information as to the designated OE officials will be made known in writing to the grantee.

C. Grantee Reporting Requirements

1. The program officer assigned to monitor the project will contact the grantee by mail immediately following notification of the award. This letter will explain the grantee's monitoring responsibility and the types of reports that must be submitted to the regional office. Instructions for preparing reports, including the schedule for their submission to the regional office and copies of the necessary forms, are to be enclosed with the letter. (See Administrative Bulletin 15-73 for sample copies of the letter, forms, and instructions.)

2. All LEA and nonprofit group ESAA grantees are required to submit a program progress report and a financial status report each quarter. OE Form 275, Quarterly Program Progress Report, and as part of the same Form 275, Financial Status Report, are to be used for these reports.

3. Each grantee shall submit the two reports to the regional office each quarter in accordance with the following schedule for FY 1974-75:

Reporting Period	Date Report Due In Regional Office
July 1 - September 30, 1973	October 15, 1973
October 1 - December 31, 1973	January 15, 1973
January 1 - March 31, 1974	April 15, 1974
April 1 - June 30, 1974	July 15, 1974

Two additional reports will be required from grantees receiving awards in Batch I. The first report for such grantees covering the period February 1, 1973 - April 15, 1973 is due in the regional offices no later than May 1, 1973. The second report for the period April 16, 1973 - June 30, 1973 must be sumbitted to the regional offices by July 15, 1973. Thereafter, Batch I grantees will follow the established reporting schedule.

4. Each ESAA grantee is required to submit two final reports to the regional office. One report, the Final Program Progress Report, will incorporate information in the quarterly reports and the results of the grantee's final evaluation of the project. The other report will be a final fiscal report which will provide an accounting of all moneys received under the ESAA grant. Grants may not be closed out prior to receipt of the two reports described above. (See Chapter VI of this section entitled, "Closeout Procedures for ESAA Grants.")

D. Specific Monitoring Procedures

All Emergency School Aid Act grants to local educational agencies and nonprofit groups are to be monitored in accordance with the instructions set forth in this chapter. The monitoring process shall be continuous throughout the grant period. Monitoring of grants will include both the review of quarterly and annual reports received from grantees and site reviews of the projects.

1. Review of Grantee Reports

   a. The regional program officer assigned to monitor an ESAA grant is charged with ensuring that all grantee reports are submitted to the regional office as scheduled. He/she should keep a record of all submissions and contact the grantee in the event a report is not received according to the schedule.

   b. Regional program officers will review each quarterly progress and financial report as soon as possible after receipt. These reports are to be analyzed as set forth below:

      1) Quarterly Program Progress Report -- Compare the attainment of major events as reported in the Quarterly Program Progress Report (OE Form 275) with the Schedule of Implementation Plan in the approved application to determine program irregularities

and/or implementation problems.

2) Quarterly Financial Status Report -- Review the Financial Status Report (OE Form 275) and analyze the breakout of moneys expended by comparing these figures with the funding allocation and cost breakouts in the approved budget. If there are any differences or discrepancies, they should be summarized in a memorandum to the regional contracting officer. The Financial Status Report with memorandum attached should then be forwarded to the contracting officer within ten days of receipt of the quarterly financial report.

c. If the grantee indicates in the reports a need for change in budget estimates, the program officer reviewing the report should advise the grantee to submit a request for budget revision to the regional office. Such a request should be in the form of an amendment to the existing grant using OE Form 276 , Request for Budget Revision. Grantees' requests for budget revisions are to be reviewed by the program officer upon receipt. OE Form 277 , Action Memo Concernining Grantee's Request for Budget Revision is to be completed for each request. The program officer will then forward the Request for Budget Revision with the Action Memo to the regional contracting officer through the ESAA Program Manager. The contracting officer will, in turn, act on the request and notify the program officer -- through the ESAA Program Manager -- of his decision. The program officer will then contact the grantee and inform him as to whether or not the request has been approved. The program officer will also forward any budget revision document to the Central Control Unit of BEEO/Washington. Such document will become part of the grantee's permanent case file. For guidelines on the extent of revision allowable and related matters, consult Appendix A, Item 3 of the ESAA regulations.

2. Procedures for Site Reviews

a. General

1) Monitoring of ESAA grants will include a minimum of two site reviews which are mandatory during the grant project period.

2) The first review will be made within the second

quarter of the grant period. This review should be undertaken as soon as possible following analysis of the first quarterly program progress and financial reports. The purpose of this review will be to monitor the initial stage of project implementation.

3) The second site review should be scheduled immediately following analysis of the second quarterly report. All aspects of the grant project should be in place prior to the second review. Thus, this review will enable the program officer(s) to observe the status of the actual project operation. The second review will also provide an opportunity to follow up on recommendations made during the initial review and, if necessary, to advise the grantee of the need for, mid-grant corrections and/or revisions in the project.

4) The two mandatory site reviews will be made in accordance with the schedule below:

Initial Site Review (Batch I projects only)	as soon as possible
Initial Site Review (Batch II and Batch III projects)	no later than November 5, 1973
Second Site Review (Batch I, II, and III projects)	no later than February 5, 1974

Schedules for the fall and winter reviews should be set as early as possible in September so that grantees and the regional office staff will be able to plan more effectively for the site reviews.

5) Additional site reviews will be scheduled by the regional office, as warranted. For example, site reviews will be made in those instances where quarterly reports subsequent to the first two reports indicate that the grantee is experiencing major problems which prevent timely completion of scheduled events.

6) No further site reviews are to be made if the information obtained during the two mandatory site reviews and from quarterly reports indicates that (1) the project is operating on schedule, (2) the program being implemented is that which is set forth in the approved application, and (3) there are no major problems with project implementation.

b. Plans Preceding the Review Visit

1) The ESAA Project Manager will be responsible for implementing all ESAA site reviews. He/she will determine the number of staff members needed to make the review. The regional program officer assigned to monitor the grant must participate in the site review. Additional staff should be designated by the ESAA Program Manager to work with the assigned program officer to monitor specific aspects of a project which are related to their special expertise and/or training. For example, persons with bilingual expertise or persons knowledgeable about non-profit groups should accompany program officers on site reviews of such projects.

2) Plans for the review will be made by the program officer assigned to the grantee (who will be the team leader if others are also assigned to assist in the review) and approved by the ESAA Program Manager. Such plans will include all preparation needed to complete the Site Review Plan (OE Form 278). In the space for "Purpose of Review," he/she should indicate whether the review is one of the two required reviews or whether it is a special review. If the reviewer(s) will be looking at a particular problem, that should also be described. The specific assignments and appointments of the reviewer(s) should be indicated in the appropriate spaces. One copy of the Site Review Plan for each review will be retained for the case file, one copy will be furnished each team member, and copies will be made for such other regional office administrative needs as required by the ESAA Program Manager to maintain adequate information and control over travel and assignment of program officers.

3) After the team members have been designated and their assignments made, the team leader should contact the director of the project to be reviewed and confirm the review dates, agree on the purpose of the visit, and discuss the team member assignments. The ESAA program

officer and the local project director should work out the necessary appointments and schedules for each team member in terms of that member's assignment so that the review can be conducted in the most efficient manner possible. These plans should include exact times, dates, places, persons to meet, and the information or materials to be furnished by the grantee or the review team.

4) When all plans are completed and documented on the Site Review Plan, the project officer will submit the completed form to the ESAA Program Manager for approval before the review is actually carried out.

c. Activities Conducted during the Visit

Site reviews must provide an opportunity for investigation of all aspects of grant operation, including the five checks described below:

1) The statistical data used in the grantee's application must be checked to determine its accuracy. The Site Review Statistical Report (OE Form 279) will be used for this purpose.

a) In preparation for the site review, the project officer is responsible for entering required data from the grantee's application and from OCR records. If a wide disparity is noted in checking the data from these two sources, plans for the site review should be expanded to include visits to each school affected by the project. (In the case of a nonprofit group grantee, all schools in the LEA's desegregation plan will be assumed to be affected by the project, unless the grantee has explicitly indicated the schools which will be involved.) If there is no significant deviation between the two sets of data, the project size should determine which schools will be visited. In a project where five or fewer schools are involved, all schools should be reviewed. In projects in which more than five schools are involved, a sample of schools should be drawn which includes at least five schools and no less than 10% of the schools in the project. When non-public schools are involved in the project, each of them should be reviewed.

b) The third column of the Site Review Statistical Report may be completed from data furnished by the local project director but should be verified by head count and observation in classrooms and/or other activity sites. In those cases where discrepancies become apparent, explanations should be noted in the fourth column.

c) The Site Review Statistical Report need not be completed for nonprofit group grantees, but reviewers should compare the number of project participants projected in the application (Section IV, Item 7) with the count provided by the local project director.

2) In addition to the data collected for the Site Review Statistical Report described above, information should also be gathered on the operation of the ESAA project within individual schools. The Site Review of Program Operation -- School Districts (OE Form 280) should be completed for each school visited. In monitoring nonprofit group grantees, the Site Review of Program Operations -- Nonprofit Organizations (OE Form 286) should be completed for each project site visited. Preparation for this review will include a study of the grantee's approved application as well as his quarterly program progress reports. If the site review indicates variance from the program progress reports, this should be discussed in attachments to the Site Review of Program Operation.

3) Each site review should include a meeting with the chairmen of both the ESAA District-Wide Advisory Committee and in the case of local educational agencies the Student Advisory committees. These meetings are mandatory only for the first site review in order to see that the committees have been organized and have performed their preliminary functions according to the regulations. The advisory committees will be checked in the second review only if problems or irregularities were turned up in the first review or if other circumstances suggest the need for a second review.

a) District-Wide Advisory Committee - On the first review, the committee chairman should be asked to complete the Survey of District-Wide Advisory Committee Participation in ESAA Grants (OE Form 285). From the information provided on this form, the reviewing officer should complete the District-Wide Advisory Committee Review Report (OE Form 281). Any questions concerning the committee's activities should be answered by the reviewer as a result of his discussions with the committee chairman and his review of the official minutes of all meetings held. Any membership changes since the application was approved or since any previous site review should be noted on the form. If the membership change caused any change in the legal composition of the committee, such change should be noted in Item 1. The Survey should be filled in by the committee chairman only during the first site review. In any subsequent review(s), it is only necessary that the reviewer read through the minutes and note any problems or irregularities. If any are noted, they should be discussed with the committee members.

b) Student Advisory Committee - On the first review, each committee chairman should be asked to complete the Survey of Student Advisory Committee Participation in ESAA Grant (OE Form 287). From the information provided on this form, the reviewing office should complete OE Form 282, Student Advisory Committee Review Report. Any membership changes should be noted which occurred since the ESAA application was approved or since any previous program review. Any changes in Item 1 as a result of changes in membership should be noted and explained. The Survey should be completed by the SAC chairmen during the first on-site review. In any subsequent review(s) it is necessary only that the reviewers check to see that the committees are operating in conformity to the regulated guidelines.

d. Closing and Following Up the Site Review

1) After all of the review activities have been completed, it is the responsibility of the review team leader to meet in an exit interview with the local director of the ESAA project and with the senior operating official of the grantee organization. The discussion should be brief and general in scope with all detailed comments presented in the follow-up letter. This will allow the team leader to review the data carefully and to consult with OCR, grants and contracts, or any other regional staff members before making his specific comments.

2) After each site review a letter will be prepared for the local project director and the senior operating official of the grantee organization which lays out the findings of the site review team. Such letters should describe both the strengths and the weaknesses observed in the program. Detailed information supporting all such findings must be included in the letter. For each program weakness cited, the program officer must indicate a recommended course of remedial action. The actions recommended must be described as specifically as possible and be accompanied by an implementation schedule. It is the program officer's responsibility to see that the recommendations are implemented on schedule. To do this the program officer may request that documentation be submitted by the grantee proving that the recommended action steps are being taken. If appropriate, the program officer may indicate that failure to take the recommended steps may lead to initiation of legal enforcement proceedings.

   The follow-up letter should inform the grantee that OCR may also conduct a review of the project and that this program review does not necessarily take the place of any such review.

   One copy of this letter should be made available to the ESAA Program Manager and one copy should be retained for the case file.

3) Technical assistance may be offered to the grantee at the close of the follow-up letter, but it should be kept totally separate from the monitoring function.

It should not be a part of the site reviews or of the monitoring reports prepared by the program officer.

E. Procedures for Handling Program, Fiscal, and Civil Rights Violations by the Grantee

As a result of his examination of a grantee's quarterly reports or as a result of the site reviews, the program officer may find that the grantee has failed to maintain program, fiscal, or civil rights compliance with the regulations. Any such findings must be investigated promptly and carefully and corrective action must be recommended to the grantee. If the situation is not corrected and if violations are documented, it may be necessary to initiate proceedings for suspension and termination of the grant.

1. Procedures for identifying and reporting violations are as follows:

   a. Civil Rights Violations

      1) Program officers must be alert to civil rights violations, such as

         a) grouping practices that result in segregation of nonminority from minority group students;

         b) overinclusion of minority group children in special education programs;

         c) racially identifiable tracks or groupings;

         d) discriminatory personnel practices;

         e) failure to provide minority students with comparable services and facilities;

         f) discrimination against minority students in participation in curricular and extracurricular activities; and

         g) LEA transfers of property or services to, or participation in the ESAA project by, discriminatory private schools.

      2) Where apparent civil rights violations are detected, they should be reported in writing through the ESAA Program Manager to the Education Branch Chief in the regional Office for Civil Rights with a request for

a reply within ten days, stating recommended action. (Use OE Form 284, Notification of Non-Compliance with Regulations and Requirements of ESAA Grant.) A copy of such report shall be forwarded to Washington OGC. A third copy of OE Form 284 along with copies of all relevant correspondance will be retained for the case file.

b. Fiscal Violations

1) Program officers should be alert to fiscal violations observed in the monitoring process which may include

   a) diversion of ESAA funds to purposes other than those specified in the application;

   b) supplanting of local funds with ESAA Assistance moneys;

   c) irregularities in accounting procedures;

   d) substantive changes made by grantee in the scope of the project;

   e) expenditure rates indicating over-spending or under-spending;

   f) rate of travel;

   g) lack of accountability for property;

   h) subcontracting without prior OE approval for subcontract;

   i) staff personnel employed by more than one Federal project;

   j) consultants employed in lieu of permanent staff members; and

   k) patents and copyright procedures not appropriately processed.

2) Apparent fiscal violations which are detected should be reported in writing through the ESAA Program Manager to the regional contracting officer with a request for a reply within ten days, stating recommended action. (Use OE Form 284). A copy of such report shall be forwarded to Washington OGC. A third copy

of OE Form 284 along with copies of all relevant correspondence will be retained for the case file.

c. Programmatic Violations

1) The program officer is responsible for determining failure on the part of the grantee to carry out the funded program as set forth in the application. Program violations that may be observed and documented by the program officer include

a) Failure to carry out activities as set forth in the application;

b) Failure to achieve action steps on schedule; and

c) Diversion of personnel and services to unauthorized activities.

2) When the program officer notes an apparent programmatic violation he will prepare OE Form 284 for the ESAA Program Manager, stating recommended action. A copy of this report shall be forwarded to Washington OGC. A third copy of OE Form 284 along with copies of all relevant correspondence will be retained for the case file.

2. Enforcement Procedures

a. Washington OGC shall review any report citing non-compliance to determine whether or not the facts are sufficient to establish a violation warranting suspension and termination. Where appropriate the ESAA Program Manager or the Education Branch Chief may be requested to provide additional information.

b. Washinton OGC will prepare a recommendation memorandum to the Associate Commissioner. This memorandum will include a recommendation on whether or not to initiate proceedings for the suspension and termination of a grant.

c. The Associate Commissioner's decision whether or not to initiate proceedings for the suspension and termination of the grant in question will be transmitted to the Regional Commissioner.

d. Notification to the grantee by the Associate Commissioner of the initiation of termination proceedings and the provision of an opportunity for a hearing are legal procedures and will be handled by the Washington Office of General Counsel. Washington OGC will prepare the Notice of Opportunity for Hearing for the Associate Commissioner's signature. Such notice will include notification of the suspension of the grant pending the outcome of the termination proceedings. The Associate Commissioner must then provide the grantee, upon request, an informal meeting at which the grantee may show cause why such suspension should not be imposed.

e. When the Notice of Opportunity for Hearing is provided to the grantee, a copy will be given to the

   1) Regional Commissioner

   2) Congressional liaison

   3) Regional contracting officer

f. The ultimate question of termination of the grant is first decided by an Administrative Law Judge designated by the Assistant Secretary who will

   1) Conduct a formal evidentiary hearing;

   2) Receive proposed orders and supporting materials submitted by both the Government and the grantee; and

   3) Issue a decision.

g. Either party may appeal an adverse decision of the Administrative Law Judge to the Assistant Secretary, whose decision is final.

h. Termination is effected by:

   1) the Administrative Law Judge's decision becoming final without appeal; or

   2) by delivery to the grantee of the Assistant Secretary's final order.

i. When legal proceedings for termination are concluded, the Associate Commissioner will immediately notify the regional contracting officer to:

   1) provide for the resumption of the grant, or

   2) request an accounting for grant funds, and return

of grant funds where appropriate.

3. Communication with Grantee Regarding Violations

In all instances in which a possible violation is observed in the course of a site review, the usual follow-up letter to the grantee will be delayed until Washington OGC has responded to the OE Form 284 submitted by the reviewing program officer. If OGC determines that no violation exists, the program officer will prepare the usual follow-up letter to the grantee. If OGC determines that a violation does exist, they will contact the grantee directly and will inform the program officer of their activities. If OGC requests additional information, the follow-up letter should request such information or notify the grantee that they will be visited by Federal officers seeking information regarding possible non-compliance.

F. Regional Office Reporting Requirements

In addition to the requirements for reporting program, fiscal, and civil rights violations, regional offices are also responsible for submitting quarterly summaries of their monitoring activities.

1. Each regional program officer will prepare a quarterly report for submission to the ESAA Program Manager that summarizes by State the program progress and financial status of each grant assigned to him/her. These reports will be completed after each reporting period and will be entered on OE Form 283, Quarterly Regional Monitoring Summary Report.

2. ESAA Project Managers will compile the reports prepared by the program officers and enter them by State on a master copy of OE Form 283 which will include data on the status of each ESAA grant. This report will be developed after each grantee reporting period. It will be transmitted through the Regional Commissioner to the Associate Commissioner for EEO.

3. The schedule for submission of all quarterly monitoring reports is shown in the following table:

	Grantees' Quarterly Progress and Fiscal Reports	Regional Program Officers' Quarterly Summary Report	Quarterly Regional Monitoring Summary Report	
Reporting Period	Date Due in Regional Office	Date Due to ESAA Program Manager	Date Due to Regional Commissioner for Review	Date Due BEEO/Washin
February 1 - April 15, 1973	May 1	June 1	June 10	June 15
April 16 - June 30, 1973	July 15	August 21	August 31	September
July 1 - September 30, 1973	October 15	November 15	November 23	November 2
October 1 - December 31, 1973	January 15, 1974	February 15	February 25	March 4
January 1 - March 31, 1974	April 15	May 1	May 10	May 15
April 1 - June 30, 1974	July 15	August 1	August 9	August 14

APPENDIX A:

RATING SCALES

Appendix A. RATING SCALE FOR BASIC LEA GRANTS AND PILOT PROJECTS

1. Percentage of Minority Students in District (15 point maximum)

Percent Minority Students	Points
Over 80	15
70-79.9	14
60-69.9	13
50-59.9	12
45-49.9	11
40-44.9	10
35-39.9	8
30-34.9	6
25-29.9	4
20-24.9	2
10-19.9	1
Under 10	0

2. Number of Minority Students in District (15 point maximum)

Number of Minority Students	Points
Over 50,000	15
40,000-49,999	14
30,000-39.999	13
20,000-29,999	12
15,000-19,999	11
10,000-14,999	10
8,000- 9,999	9
7,000- 7,999	8
6,000- 6,999	7
5,000- 5,999	6
4,000- 4,999	5
3,000- 3,999	4
2,000- 2,999	3
1,000- 1,999	2
100- 999	1
0- 99	0

Appendix A. Rating Scale for Basic LEA Grants and Pilot Projects --
continued

3. Effective Net Reduction of Minority Group Isolation--Number of Children (25 point maximum)*

Number of Minority Students	Points
Over 15,000	25
14,000-14,999	23
13,000-13,999	22
12,000-12,999	20
11,000-11,999	18
10,000-10,999	17
9,000- 9,999	15
8,000- 8,999	13
7,000- 7,999	12
6,000- 6,999	10
5,000- 5,999	8
4,000- 4,999	7
3,000- 3,999	5
2,000- 2,999	3
1,000- 1,999	2
100- 999	1
0- 99	0

4. Effective Net Reduction of Minority Group Isolation--Percentage of Children (35 point maximum)*

Measure	Points
85-100	35
83- 84	34
81- 82	33
79- 80	32
77- 78	31
74- 76	30
72- 73	29
70- 71	28
68- 69	27
66- 67	26
63- 65	25
61- 62	24

Appendix A. Rating Scale for Basic LEA Grants and Pilot Projects -- continued

Measure	Points
59- 60	23
57- 58	22
55- 56	21
52- 54	20
50- 51	19
48- 49	18
46- 47	17
44- 45	16
41- 43	15
39- 40	14
37- 38	13
35- 36	12
33- 34	11
30- 32	10
28- 29	9
26- 27	8
24- 25	7
22- 23	6
19- 21	5
17- 18	4
15- 16	3
13- 14	2
11- 12	1
0- 10	0

5. Educational Quality (45 point maximum for basic grants) 53 point maximum for pilot projects)

Category	Points
Needs Assessment	6
Objectives	6
Activities	21
Resource Management	6
Evaluation	6
Replicability	8 points (pilot projects only)

*See the explanation on page 7 which outlines how this will be measured.

Appendix A. RATING SCALE FOR NONPROFIT GROUPS PROJECTS

1. Percentage of Minority Students in LEA (15 point maximum for LEAs; 7 1/2 point maximum for nonprofit groups)*

Percent Minority Students	Points
Over 80	15
70-79.9	14
60-69.9	13
50-59.9	12
45-49.9	11
40-44.9	10
35-39.9	8
30-34.9	6
25-29.9	4
20-24.9	2
10-19.9	1
Under 10	0

2. Number of Minority Students in LEA (15 point maximum for LEAs; 7 1/2 point maximum for nonprofit groups)*

Number of Minority Students	Points
Over 50,000	15
40,000-49,999	14
30,000-39,999	13
20,000-29,999	12
15,000-19,999	11
10,000-14,999	10
8,000- 9,999	9
7,000- 7,999	8
6,000- 6,999	7
5,000- 5,999	6
4,000- 4,999	5
3,000- 3,999	4
2,000- 2,999	3
1,000- 1,999	2
100- 999	1
0- 99	0

*These scales are also being used in rating applications from local educational agencies. However, the total number of points available will be halved when rating nonprofit group applications.

Appendix A. Rating Scale for Nonprofit Groups Projects -- continued

3. Effective Net Reduction of Minority Group Isolation--Number of Children (25 point maximum for LEAs;) 12 1/2 point maximum for nonprofit groups)* **

Number of Minority Students	Points
Over 15,000	25
14,000-14,999	23
13,000-13,999	22
12,000-12,999	20
11,000-11,999	18
10,000-10,999	17
9,000- 9,999	15
8,000- 8,999	13
7,000- 7,999	12
6,000- 6,999	10
5,000- 5,999	8
4,000- 4,999	7
3,000- 3,999	5
2,000- 2,999	3
1,000- 1,999	2
100- 999	1
0- 99	0

4. Effective Net Reduction of Minority Group Isolation--Percentage of Children (35 point maximum for LEAs; 17 1/2 point maximum for nonprofit groups)* **

Measure	Points
85-100	35
83- 84	34
81- 82	33
79- 80	32
77- 78	31
74- 76	30
72- 73	29
70- 71	28
68- 69	27
66- 67	26
63- 65	25
61- 62	24
59- 60	23
57- 58	22
55- 56	21
52- 54	20
50- 51	19
48- 49	18
46- 47	17
44- 45	16
41- 43	15

Appendix A. Rating Scale for Nonprofit Groups Projects -- continued

Measure	Points
39- 40	14
37- 38	13
35- 36	12
33- 34	11
30- 32	10
28- 29	9
26- 27	8
24- 25	7
22- 23	6
19- 21	5
17- 18	4
15- 16	3
13- 14	2
11- 12	1
0- 10	0

5. Quality Criteria (45 points maximum)

The assignment of points in this category will be based on five areas of evaluation, with a maximum number of points which may be assigned under each area.

I.	Needs Assessment	6 points
II.	Objectives	6 points
III.	Activities	21 points
IV.	Resource Management	6 points
V.	Evaluation	6 points

*These scales are also being used in rating applications from local educational agencies. However, the total number of points available will be halved when rating nonprofit group applications.

**See the explanation on page 7 which outlines how this will be measured.

Appendix A. METHOD OF COMPUTING EFFECTIVE NET REDUCTION IN MINORITY GROUP ISOLATION

Items 3 and 4 in the preceding rating scale will both be computed as the difference between two numbers over the period of time between the applicant's base year and the applicant's project year. The base year is defined to be the school year immediately preceding the implementation of the district's current desegregation plan or plan to reduce minority group isolation. The project year is defined to be the current school year, or, if the proposal is for a plan to be implemented, the project year is defined to be first year of implementation (for example, the school year immediately following the current school year). The following mine the effective net reduction in minority group isolation over this time period. A hypothetical example of a school district is used to help explain the necessary calculations.

Item 3. Effective Net Reduction of Minority Group Isolation--Number of Children

For each appropriate year, each minority student in the district will be counted according to the following weighting scheme (which depends only on the minority composition of that student's school):

Minority Students in Schools with the Following Percentage of Minority Students	Weight Assigned to Each Minority Student
95-100%	0.0
90-94.9	0.1
85-89.9	0.2
80-84.9	0.3
75-79.9	0.4
70-74.9	0.5
65-69.9	0.6
60-64.9	0.7
55-59.9	0.8
50-54.9	0.9
0-49.9	1.0

Once each minority student is appropriately weighted for each year, the students' weights will be added together (separately for each year). Then the total of these weights for the base year will be subtracted from the total of these weights for the project year. This difference will then be applied to the rating scale given for Item 3 to determine the number of funding points for this criterion.

EXAMPLE

A hypothetical school district with the following enrollment patterns in its base year will be used throughout this explanation:

Appendix A. Method of Computing Effective Net Reduction in Minority Group Isolation -- continued

BASE YEAR

School	Number of Minority Children	Number of Non-Minority Children	Total Enrollment	Percent Minority
A	3,000	500	3,500	86%
B	0	3,000	3,000	0%
C	0	3,500	3,500	0%
Totals:	3,000	7,000	10,000	30%

Now suppose that, in its project year, this school district has the following enrollment pattern:

PROJECT YEAR

School	Number of Minority Children	Number of Non-Minority Children	Total Enrollment	Percent Minority
A	1,500	1,500	3,000	50%
B	1,000	2,500	3,500	29%
C	500	3,000	3,500	14%
Totals:	3,000	7,000	10,000	30%

a) Total weight for the base year

This figure is obtained by adding up each minority student's weight. Since all minority students in the base year were in School A and since School A was 86% minority, the table of weights above indicates that each minority student is to be weighted 0.2 (since this is the weight for the 85-89% minority range). Therefore, the total weight for this district's base year is:

3,000 x 0.2 = 600.

The table below summarizes how this total weight is derived.

TOTAL WEIGHT FOR BASE YEAR

School	Number of Minority Children	Weight for Each Minority Child	Total Weight for Each School
A	3,000	0.2	600
B	0	---	---
C	0	---	---
Totals:	3,000		600

Appendix A. Method of Computing Effective Net Reduction in Minority Group Isolation -- continued

b) Total weight for the project year

The procedure is the same for the project year as it was for the base year. However, in this district's project year, 2,500 minority students are in schools that are less than 50% minority (1,000 in School B and 500 in School C). These students, therefore, are all weighted 1.0. The students in School A, on the other hand, will only be weighted 0.9, since school A is now exactly 50%. The total weight for School A, therefore will be:

1,500 x 0.9 = 1,350

The table below summarizes how the total weight for the project year is derived:

TOTAL WEIGHT FOR PROJECT YEAR

School	Number of Minority Children	Weight for Each Minority Child	Total Weight for Each School
A	1,500	0.9	1,350
B	1,000	1.0	1,000
C	500	1.0	500
Totals:	3,000		2,850

c) Total points for Item 3

To obtain this district's total points for this criterion (Item 3), substract the total weight for the base year (600) from the total weight for the project year (2,850):

2,850 - 600 = 2,250

Referring to the rating scale for Item 3, this number (2,250) is between 2,000 and 2,999 and, therefore, the number of points for this district on Item 3 is 3.

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Appendix A. Method of Computing Effective Net Reduction in Minority Group Isolation -- continued

Item 4. Effective Net Reduction of Minority Group Isolation--Percentage of Children

For each of the two years (base year and project year), the weighted total computed above for Item 3 is taken as a percentage of the total number of minority students in the district in the appropriate year (which will be either the base year or the project year). This percentage figure for the base year will be subtracted from the percentage figure for the project year. This difference will then be applied to the rating scale given for Item 4 to determine the funding points for this criterion.

EXAMPLE

a) Percentage figure for the base year

To calculate the net reduction of minority group isolation in terms of "percentage of children" for Item 4 in the base year, the total weight for that year (which was computed above for the hypothetical district to be 600) is taken as a percentage of the total number of minority students in the district in that year (which was 3,000 for the hypothetical district). In other words, the base year percentage figure for this district is:

$$\frac{600}{3{,}000} = 20\%$$

b) Percentage figure for the project year

To calculate the "percentage of children" figure for this district in its project year, the total weight for that year (which was computed above to be 2,850) is taken as a percentage of the total number of minority students in the district in that year (which was 3,000). In other words, the project year percentage figure for this district is:

$$\frac{2{,}850}{3{,}000} = 95\%$$

c) Total points for Item 4

To obtain this district's total points for Item 4, subtract the percentage figure for its base year (20%) from the percentage figure for its project year (95%):

$$95\% - 20\% = 75\%$$

Referring to the rating scale for Item 4, this number (75%) is between 74% and 76%. Therefore, the number of points received by this district for Item 4 is 30.

APPENDIX B:

SAMPLE COPIES OF FORMS REFFERRED TO IN SECTION 4

EMERGENCY SCHOOL AID ACT

MEMORANDUM OF CONVERSATION FOR APPLICATION CASE FILE

USE ADDITIONAL SHEETS IF NECESSARY

PROJECT NUMBER

TYPE OF APPLICATION/PROJECT

NAME OF APPLICANT OR GRANTEE

STATE

CALL INITIATED BY:	CALL MADE TO:
NAME	NAME
POSITION	POSITION
	DATE / TIME

REASON FOR CALL

COMMENTS BY APPLICANTS/GRANTEES/OTHER

COMMENTS BY PROGRAM OFFICER

OTHER PERSONS INVOLVED IN DISCUSSION

OE FORM 236, 11/72

EMERGENCY SCHOOL AID

OE REGIONAL ESA APPLICATION MASTER CONTROL LOG

TYPE OF APPLICATION

☐ BASIC LEA GRANT ☐ PILOT PROJECT GRANT ☐ BILINGUAL GRANT ☐ NONPROFIT GROUP GRANT

DATE OF ENTRY ON LOG	NAME AND LOCATION OF APPLICANT [illegible]	DATE APPLICATION RECEIVED	FUNDS		TO ESA DIRECTOR		TO OFFICE FOR CIVIL RIGHTS				TO CONTRACTING OFFICER		TO REVIEW PANEL		TO REGIONAL COMMISSIONER		TO THE ASSOCIATE COMMISSIONER		TO THE REGIONAL COMMISSIONER		TO CONTRACTUAL OFFICER [illegible]	
							PLAN STATUS CHECK		COMPLIANCE STATUS REPORT													
			REQUESTED	AWARDED	DATE OUT	DATE IN	DATE OUT	DATE IN	DATE OUT	DATE IN	DATE OUT	DATE IN	DATE OUT	DATE IN	DATE OUT	DATE IN	DATE OUT	DATE IN	DATE OUT	DATE IN	DATE OUT	DATE IN

OE FORM 135, 11/71

FORMAT FOR ACKNOWLEDGMENT LETTER

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
~~WASHINGTON D.C. 20202~~

REGIONAL COMMISSIONER OF EDUCATION

DATE:

PR #

NAME AND ADDRESS OF
SUPERINTENDENT OR
AUTHORIZED OFFICIAL
OR AUTHORIZED REPRESENTATIVE:

TITLE OF PROPOSAL/PROJECT:

YOUR EMERGENCY SCHOOL AID ACT (ESAA) APPLICATION WAS RECEIVED BY THE OFFICE OF EDUCATION ON ________________.
DATE

THE FOLLOWING NUMBER HAS BEEN ASSIGNED TO YOUR APPLICATION, PLEASE USE IT IN ANY FUTURE CORRESPONDENCE:

PR #

EMERGENCY SCHOOL AID ACT **APPLICATION CHECK SHEET** **LOCAL EDUCATIONAL AGENCY**	TYPE OF APPLICATION ☐ BASIC ☐ PILOT ☐ BILINGUAL	PROJECT NUMBER DATE ENTERED REGIONAL CONTROL UNIT
NOTE: All parts to be completed by Program Officer.		
NAME OF LOCAL EDUCATIONAL AGENCY		DATE

COMPLETED	ITEM	MISSING	DATE RECEIVED
	1. SIGNATURE OF SUPERINTENDENT OR REPRESENTATIVE		
	2. TYPE OF PLAN		
	(a) ORDER OF FEDERAL OR STATE COURT, OR OTHER STATE AGENCY OR RESPONSIBLE OFFICIAL, WHICH REQUIRES DESEGREGATION OR REDUCTION IN MINORITY GROUP ISOLATION		
	(b) COPY OF A PLAN FOR DESEGREGATION APPROVED BY THE OFFICE FOR CIVIL RIGHTS WITH A COPY OF THE LETTER OF APPROVAL, ATTACHED		
	(c) COPY OF THE VOLUNTARY DESEGREGATION PLAN OR PLAN TO ELIMINATE, REDUCE, OR PREVENT MINORITY GROUP ISOLATION THAT THE DISTRICT HAS IMPLEMENTED OR WILL IMPLEMENT IF ASSISTANCE IS MADE AVAILABLE TO UNDER THIS ACT, ATTACHED		
	(1) COPY OF A SCHOOL BOARD RESOLUTION OR OTHER EVIDENCE OF FINAL ACTION WHICH APPROVES THE PLAN AND AGREES TO ITS IMPLEMENTATIO ATTACHED AND		
	(2) EVIDENCE OF PUBLIC NOTICE OF THE CONTENT OF THE PLAN AND THE INTENTION TO IMPLEMENT IT UPON AWARD OF ASSISTANCE BY THIS ACT, ATTACHED		
	3. PUPIL ENROLLMENT TABLE FOR BASE SCHOOL YEAR, ATTACHED		
	4. PUPIL ENROLLMENT TABLE FOR PROJECT SCHOOL YEAR, ATTACHED		
	5. TOTAL NUMBER OF MINORITY STUDENTS ENROLLED, 197[illegible]-73		
	6. EXTENT OF MINORITY GROUP ISOLATION, ATTACHED		
	7. DETAILED PROJECT DESCRIPTION		
	8. NUMBER OF STUDENTS, TEACHERS, AND OTHER EDUCATIONAL STAFF IN BOTH THE PUBLIC AND NONPUBLIC SCHOOLS THAT ARE PARTICIPATING IN PROJECT		
	9. DESCRIPTION OF PARENTS, STUDENTS AND COMMUNITY MEMBERS INVOLVEMENT IN THE DEVELOPMENT AND IMPLEMENTATION OF EACH PROJECT		
	10. DESCRIPTION OF ADVISORY COMMITTEES' INVOLVEMENT IN PROJECT(S) IMPLEMENTATION		
	11. BI- OR MULTI-RACIAL ADVISORY COMMITTEE DATA: LIST OF BI- OR MULTI-RACIAL COMMITTEE INDICATING NAMES, ADDRESSES, RACE, ORGANIZATION REPRESENTED, BY WHOM SELECTED, AND PARENT OR NON-PARENT OF CHILD, ATTACHED		
	12. PROGRAM ACTIVITY BUDGET OUTLINE		
/	13. ATTACHED SCHEDULE OF MAJOR EVENTS WHICH WILL BE COMPLETED IN IMPLEMENTING THE PROJECT		
	14. SIGNATURE ON CERTIFICATION OF ACCOUNTING SYSTEM		

(continued on reverse)

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COMPLETED	ITEM	MISSING	DATE RECEIVED
	15. STATEMENT OF ASSURANCES		
	a. ATTACHMENTS		
	(1) ITEMIZED LIST OF ALL FUNDS FROM NON-FEDERAL SOURCES USED FOR PURPOSES OF THE ACT OR FOR PROMOTING INTEGRATION ANYWHERE IN THE SCHOOL SYSTEM FOR THE FISCAL YEAR OR YEARS FOR WHICH ASSISTANCE IS SOUGHT AND FOR THE TWO FISCAL YEARS IMMEDIATELY PRECEDING THE FIRST YEAR FOR WHICH ASSISTANCE IS SOUGHT.		
	(2) A STATEMENT OF PROCEDURES EMPLOYED BY THE APPLICANT TO COORDINATE ITS PROPOSED PROGRAM, PROJECT, OR ACTIVITY UNDER THE ACT WITH PROJECTS CONDUCTED PURSUANT TO TITLES I, III, AND VII OF THE ESEA OF 1965 AND TITLE IV OF THE CRA OF 1964.		
	(3) STATEMENT OF TOTAL LOCAL REVENUES AVAILABLE FOR EXPENDITURE, THE TAX RATE APPLIED BY THE RESPONSIBLE GOVERNMENTAL UNIT FOR THE FISCAL YEAR FOR WHICH ASSISTANCE IS SOUGHT AND FOR THE SECOND PRECEDING FISCAL YEAR, AND OF THE CURRENT EXPENDITURE PER PUPIL FROM REVENUES DERIVED FROM LOCAL SOURCES FOR THE FIRST FISCAL YEAR FOR WHICH ASSISTANCE IS SOUGHT, THE FISCAL YEAR PRECEDING THE FISCAL YEAR DURING WHICH THE AGENCY BEGAN IMPLEMENTATION OF ITS PLAN, AND THE THIRD FISCAL YEAR PRECEDING THE FIRST FISCAL YEAR FOR WHICH ASSISTANCE IS SOUGHT.		
	(4) EVIDENCE OF ESTABLISHMENT OF A DISTRICT-WIDE ADVISORY COMMITTEE PURSUANT TO 45 CFR 185.41*(a)* AT LEAST 15 DAYS PRIOR TO SUBMISSION OF APPLICATION.		
	(5) COMMENTS OF THE DISTRICT-WIDE ADVISORY COMMITTEE CONCERNING THE APPLICATION.		
	(6) EVIDENCE INCLUDING THE DATE OF PUBLIC NOTICE OF AT LEAST ONE (1) OPEN, PUBLIC HEARING WITH PARENTS, TEACHERS, SECONDARY SCHOOL STUDENTS *(where applicable)*, AND INCLUDING BUT NOT LIMITED TO THE MEMBERS OF THE DISTRICT-WIDE ADVISORY COMMITTEE, AT WHICH SUCH PERSONS WERE AFFORDED A FULL OPPORTUNITY TO UNDERSTAND THE PROGRAM, PROJECT, OR ACTIVITY FOR WHICH ASSISTANCE IS BEING SOUGHT.		
	(7) A COPY OF THE MINUTES OF THE OPEN, PUBLIC HEARING(S), AS DESCRIBED UNDER (6) ABOVE.		
	(8) LIST OF FACULTY AND TOTAL STUDENT ENROLLMENT, BY RACE, FOR EACH **NONPUBLIC SCHOOL** PARTICIPATING IN PROJECT.		
	(9) ITEM 20 UNDER **STATEMENT OF ASSURANCES**, BOTH (a) AND (b) COMPLETED.		
	(10) A LIST OF THE NAMES AND ADDRESSES OF ALL NONPUBLIC SCHOOLS OR SCHOOL SYSTEMS *(or any organization controlling, operating, or intending to establish such a school or school system)* TO WHICH THE APPLICANT HAS TRANSFERRED *(directly)* OR INDIRECTLY, BY GIFT, LEASE, LOAN, SALE OR ANY OTHER MEANS ANY REAL OR PERSONAL PROPERTY OR MADE AVAILABLE ANY SERVICES SUBSEQUENT TO JUNE 23, 1972, IF APPLICABLE.		
	(11) STATEMENT OF THE NUMBER OF PRINCIPALS, FULL-TIME CLASSROOM TEACHERS, AND ATHLETICS HEAD COACHES, BY RACE, FOR THE ACADEMIC YEAR IMMEDIATELY PRECEDING *(i)* THE YEAR IN WHICH THE APPLICANT FIRST IMPLEMENTED ANY PORTION OF A PLAN FOR DESEGREGATION OR REDUCTION OF MINORITY GROUP ISOLATION IN ITS SCHOOLS PURSUANT TO AN ORDER OF A FEDERAL OR STATE COURT OR ADMINISTRATIVE AGENCY, OR *(ii)* THE YEAR IN WHICH THE APPLICANT FIRST IMPLEMENTED ANY PORTION OF A PLAN DESCRIBED IN 45 CFR 185.11, WHICHEVER IS EARLIER, AND THE NUMBER OF ATHLETICS HEAD COACHES, BY RACE, AS OF THE DATE OF THE APPLICATION, IF APPLICABLE.		
	(12) STATEMENT OF THE TOTAL NUMBER OF CHILDREN ASSIGNED BY THE APPLICANT AS OF THE DATE OF THE APPLICATION TO ALL-MINORITY OR ALL NON-MINORITY CLASSES FOR MORE THAN 25 PERCENT OF THE SCHOOL DAY CLASSROOM PERIODS.		
	(13) STATEMENT PRESENTING AN EDUCATIONAL JUSTIFICATION OR EXPLANATION FOR ANY ASSIGNMENTS OF CHILDREN AS DESCRIBED IN (12) ABOVE.		
	(14) STATEMENT OF THE ENROLLMENT, BY RACE, IN CLASSES MAINTAINED BY THE APPLICANT AS OF THE DATE OF ITS APPLICATION FOR THE MENTALLY RETARDED OR FOR CHILDREN WITH OTHER LEARNING DISABILITIES.		
	(15) STATEMENT OF THE NUMBER AND PERCENTAGE OF STUDENTS ENROLLED IN THE FIRST GRADE OF THE APPLICANT'S SCHOOLS AS OF THE DATE OF ITS APPLICATION WHOSE PRIMARY HOME LANGUAGE IS OTHER THAN ENGLISH.		
	(16) STATEMENT SHOWING AVERAGES OF THE MOST RECENT STANDARDIZED READING ACHIEVEMENT SCORES, BY RACE OR ETHNIC GROUP, FOR STUDENTS ENROLLED IN THE THIRD AND SIXTH GRADE OF THE APPLICANT'S SCHOOLS OR THE NEAREST GRADES FOR WHICH SUCH SCORES ARE AVAILABLE, AS OF THE DATE OF THE APPLICATION, IF THE NUMBER OF CHILDREN LISTED UNDER (15) ABOVE IS GREATER THAN 100, OR IF THE PERCENTAGE LISTED THEREUNDER IS GREATER THAN 5 PERCENT.		
	b. SIGNATURE ON STATEMENT OF ASSURANCES		

COMPLETED	ITEM	MISSING	DATE RECEIVED
	16. COMPLETED STATISTICAL DATA RATING FORM		
	17. COMPLETED EDUCATIONAL ACTIVITY RATING FORMS		
	18. COMPLETED ADMINISTRATIVE REVIEW OF BUDGET FORM		
	19. RECOMMENDATION MEMORANDUM AND ESA APPLICATION RATING SUMMARY CHART		
	20. PANEL REVIEW SUMMARY SHEET		

APPLICATION CASE FILE CHECKED FOR COMPLETENESS BY

TYPE OR PRINT NAME OF PROGRAM OFFICER OR PROGRAM ASSISTANT	SIGNATURE OF PROGRAM OFFICER OR PROGRAM ASSISTANT	DATE

EMERGENCY SCHOOL AID ACT

APPLICATION CHECK SHEET
NONPROFIT GROUPS

NOTE All parts to be completed by Program Officer.

PROJECT NUMBER

DATE ENTERED REGIONAL CONTROL UNIT

DATE

NAME OF NONPROFIT GROUP

COMPLETED	ITEM	MISSING	DATE RECEIVED
	1. SIGNATURE OF AUTHORIZED REPRESENTATIVE		
	2. NAME AND TITLE OF LEA REPRESENTATIVE		
	3. SIGNATURE OF REPRESENTATIVE		
	4. LIST ALL NONPROFIT GROUPS PARTICIPATING IN PROPOSED PROJECT		
	5. COMMENTS BY LEA, ATTACHED		
	6. COPY OF LEA'S PLAN WHICH THIS APPLICATION SUPPORTS		
	7. DESCRIPTION OF THE COMPOSITION OF THE ADVISORY COMMITTEE, ATTACHED		
	8. DESCRIPTION OF ADDITIONAL FUNCTIONS NOT CALLED FOR IN REGULATIONS TO BE PERFORMED BY ADVISORY COMMITTEE, ATTACHED		
	9. DESCRIPTION OF RELATIONSHIP BETWEEN THIS COMMITTEE AND ADVISORY COMMITTEE ESTABLISHED BY LEA, IF APPLICABLE		
	10. NONPROFIT GROUP AND LEA EFFORTS TO ACHIEVE COORDINATION		
	11. DESCRIPTION OF HOW PROPOSED ACTIVITIES WILL COMPLEMENT PROGRAMS CONDUCTED BY LEA		
	12. DESCRIPTION OF EFFORTS OTHER ORGANIZATIONS ARE ENGAGED IN SIMILAR TO THIS PROPOSED APPLICATION AND EFFORTS TO ACHIEVE COORDINATION		
	13. DESCRIPTION OF HOW PARENTS, STUDENTS AND OTHER MEMBERS OF THE COMMUNITY HAVE BEEN INVOLVED IN THE DEVELOPMENT OF THIS APPLICATION		
	14. DESCRIPTION OF ORGANIZATION'S RELEVANT EXPERIENCE IN SCHOOL DESEGREGATION AND HUMAN RELATIONS		
	15. STUDENTS, PARENTS AND OTHER MEMBERS OF THE COMMUNITY'S PARTICIPATION IN PROJECT ACTIVITIES		
	16. INDICATION OF PROJECT ACTIVITIES PROPOSED		
	17. DESCRIPTION OF PROJECT, ATTACHED		
	18. DESCRIPTION OF ADMINISTRATIVE POLICIES TO BE USED IN IMPLEMENTING PROJECT, ATTACHED		
	19. ITEMIZED BUDGET, ATTACHED		
	20. DETAILED BREAKDOWN OF PROPOSED BUDGET		
	21. SCHEDULE OF MAJOR EVENTS WHICH WILL BE COMPLETED IN IMPLEMENTING THE PROJECT		
	22. SIGNATURE OR CERTIFICATION OF ACCOUNTING SYSTEM		

(continued on reverse)

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COMPLETED	ITEM	MISSING	DATE RECEIVED
	23. STATEMENT OF ASSURANCES		
	a. ATTACHMENTS		
	(1) LIST OF THE MEMBERS OF THE DISTRICT-WIDE ADVISORY COMMITTEE WITH FOLLOWING INFORMATION INCLUDED: NAME, ADDRESS, RACE, ORGANIZATION BY WHOM SELECTED, AND INDICATION AS TO WHETHER THE MEMBERS ARE PARENTS OR STUDENTS.		
	(2) EVIDENCE OF THE PUBLICATION OF THE NAMES OF THE DISTRICT-WIDE COMMITTEE AND A STATEMENT OF THE PURPOSE OF SUCH COMMITTEE AND THE DATE OF SUCH PUBLICATION.		
	(3) COMMENTS OF DISTRICT-WIDE ADVISORY COMMITTEE CONCERNING THE APPLICATION.		
	(4) COPY OF THE CHARTER, BY-LAWS, AND OTHER LEGAL DOCUMENTS INDICATING THE NATURE AND PURPOSE OF THE APPLICANT, INCLUDING EVIDENCE OF NONPROFIT STATUS AS DESCRIBED IN 45 CFR 185.61(b)		
	b. SIGNATURE ON STATEMENT OF ASSURANCES		
	24. SIGNED HEW-441		
	25. COMPLETED STATISTICAL DATA RATING FORM		
	26. COMPLETED EDUCATIONAL ACTIVITY RATING FORMS		
	27. COMPLETED ADMINISTRATIVE REVIEW OF BUDGET FORM		
	28. RECOMMENDATION MEMORANDUM AND ESA APPLICATION RATING SUMMARY CHART		
	29. PANEL REVIEW SUMMARY SHEET		

APPLICATION CASE FILE CHECKED FOR COMPLETENESS BY

TYPE OR PRINT NAME OF PROGRAM OFFICER OR PROGRAM ASSISTANT	SIGNATURE OF PROGRAM OFFICER OR PROGRAM ASSISTANT	DATE

EMERGENCY SCHOOL AID ACT **OCR VERIFICATION OF APPLICANT'S PLAN STATUS**	DATE	PROJECT NUMBER

NAME OF APPLICANT	COMPLETE ADDRESS *(include ZIP code)*

TYPE OF APPLICATION

☐ BASIC LEA GRANT ☐ BILINGUAL GRANT ☐ PILOT PROJECT GRANT ☐ NONPROFIT GROUP GRANT

I. It has been determined that the above local educational agency may be considered for assistance under section 706(a)(1) of Public Law 92-318 - Emergency School Aid Act (ESAA) because it:

(A) is implementing a plan which -

☐ has been undertaken pursuant to a final order issued by a court of the United States, or a court of any State, or any other State agency or official of competent jurisdiction, and which requires the desegregation of minority group segregated children or faculty in the elementary and secondary schools of such agency, or otherwise requires the elimination or reduction of minority group isolation in such schools, or

☐ has been approved by the Secretary as adequate under Title VI of the Civil Rights Act of 1964 for the desegregation of minority group segregated children or faculty in such schools, OR

(B) without having been required to do so -

☐ has adopted and is implementing, or

☐ will, if assistance is made available to it under Title VII, Public Law 92-318, adopt and implement, a plan for the complete elimination of minority group isolation in all the minority group isolated schools of such agency; OR

(C)

☐ has adopted and is implementing, or

☐ will adopt and implement, if assistance is made available under Title VII, Public Law 92-318,

a plan -

☐ 1. to eliminate or reduce minority group isolation in one or more of the minority group isolated schools of such agency; or

☐ 2. to reduce the total number of minority group children who are in minority group isolated schools of such agency; or

☐ 3. to prevent minority group isolation reasonably likely to occur (in the absence of assistance under this Title) in any school in such district in which school at least 20 percent but not more than 50 percent of the enrollment consists of such children; OR

(D) without having been required to do so -

☐ has adopted and is implementing, or

☐ will adopt and implement, if assistance is made available to it under Title VII, Public Law 92-318, a plan to enroll and educate in the schools of such agency children who would not otherwise be eligible for enrollment because of nonresidence in the school district of such agency, where such enrollment would make a significant contribution toward reducing minority group isolation in one or more of the school districts to which such plan relates.

II. If the application for ESAA assistance of the above-named district is based on a plan which such district will adopt, attach validation of district's compliance with 45 CFR § 185.11(c).

III. It has been determined that above-named district should not be considered for funding for the following reason(s) *(continue on reverse, if necessary)*

TYPE OR PRINT NAME OF REGIONAL EDUCATION BRANCH CHIEF (OCR)	SIGNATURE	DATE

OE FORM 138, 11/72

EMERGENCY SCHOOL AID

DAILY APPLICATION RECEIPT REPORT

DATE OF TRANSMITTAL

REGION

STATE

PR NUMBER	NAME AND LOCATION OF APPLICANT	AMOUNT REQUESTED	TYPE OF APPLICATION

OE FORM 237, 11-72

EMERGENCY SCHOOL AID ACT OF EQUAL EDUCATIONAL OPPORTUNITY **ESA APPLICATION STATISTICAL DATA RATING**	DATE
	PROJECT NUMBER

NAME OF SCHOOL DISTRICT	NAME OF APPLICANT	CITY AND STATE

TYPE OF APPLICATION

BASIC LEA GRANT BILINGUAL GRANT PILOT PROJECT GRANT NONPROFIT GROUP GRANT

ITEM	NUMBER OR PERCENT	NUMBER OF POINTS
1. NUMBER OF MINORITY STUDENTS		
OR NUMBER OF STUDENTS IN DISTRICT WITH DOMINANT LANGUAGE OTHER THAN ENGLISH		
2. PERCENTAGE OF MINORITY STUDENTS		
OR PERCENTAGE OF STUDENTS IN DISTRICT WITH DOMINANT LANGUAGE OTHER THAN ENGLISH		
3. EFFECTIVE NET REDUCTION OF RACIAL ISOLATION NUMBER OF CHILDREN		
4. EFFECTIVE NET REDUCTION OF RACIAL ISOLATION PERCENTAGE OF CHILDREN		
TOTAL	▨	

ARKS OR COMMENTS

ATURE OF ESA DIRECTOR	DATE

OE FORM 140, 11/72 PREVIOUS EDITION OF THIS FORM IS OBSOLETE.

EMERGENCY SCHOOL AID

WORKSHEET FOR COMPUTING STATISTICAL DATA RATING SCORES FOR ESA APPLICATIONS

TYPE OF APPLICATION

☐ BASIC LEA GRANT ☐ PILOT PROJECT GRANT ☐ NONPROFIT GROUP GRANT

NAME OF APPLICANT

STATE

ITEM 1. PERCENTAGE OF MINORITY IN DISTRICT

$\frac{\text{TOTAL CURRENT MINORITY ENROLLMENT}}{\text{TOTAL CURRENT ENROLLMENT}} = \quad =$

SCORE 1 (from Rating Scale)

ITEM 2.

NUMBER OF MINORITY IN DISTRICT ______________

SCORE 2 (from Rating Scale)

SCHOOLS WITH THE FOLLOWING PERCENT OF MINORITY STUDENTS (1)	BASE SCHOOL YEAR 19___			PROJECT SCHOOL YEAR 19___		
	NUMBER MINORITY STUDENTS ENROLLED IN BASE YEAR (2)	WEIGHT	WEIGHTED NUMBER (4)	NUMBER MINORITY STUDENTS ENROLLED (3)	WEIGHT	WEIGHTED NUMBER (5)
95-100%		x0.0=	0		x0.0=	0
90-94.9%		x0.1=			x0.1=	
85-89.9%		x0.2=			x0.2=	
80-84.9%		x0.3=			x0.3=	
75-79.9%		x0.4=			x0.4=	
70-74.9%		x0.5=			x0.5=	
65-69.9%		x0.6=			x0.6=	
60-64.9%		x0.7=			x0.7=	
55-59.9%		x0.8=			x0.8=	
50-54.9%		x0.9=			x0.9=	
0-49.9%		x1.0=			x1.0=	
TOTAL						

ITEM 3. COMPUTATION FOR EFFECTIVE NET REDUCTION-- NUMBER OF CHILDREN	Total, Column 5 =	ITEM 4. COMPUTATION FOR EFFECTIVE NET REDUCTION -- PERCENT OF CHILDREN	$\frac{\text{Column 5}}{\text{Column 3}}$	=
	Less Total Column 4 =		Less $\frac{\text{Column 4}}{\text{Column 2}}$	=
	Net Reduction -- Number =		Net Reduction -- Percent =	
	Score 3. (from Rating Scale) =		Score 4. (from Rating Scale)	=

TOTAL SCORES	SCORE 1	SCORE 2	SCORE 3	SCORE 4	TOTAL

VERIFICATION OF DATA

1. ENROLLMENT DATA POSTED BY CHECKED BY
2. CALCULATIONS PERFORMED BY CHECKED BY
3. SCORES CONVERTED & POSTED BY CHECKED BY

PROGRAM OFFICER STATEMENT

I have reviewed the data submitted by the applicant and find the score consistent with my knowledge of the school district.

SIGNATURE

OE FORM 246, 11/72

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION

TRANSMITTAL FORM FOR STATE EDUCATIONAL AGENCY COMMENT

O.M.B. NO. 51-S72059, APPROVAL EXPIRES: 6/30/73

Memorandum to the Chief State School Officer of ____________________ *(State)*

DATE FORWARDED FROM REGIONAL OFFICE ____________

PROJECT NO. ____________

NAME OF APPLICANT	ADDRESS *(Number, street, city, State and ZIP code)*

The attached application is being forwarded to you in accordance with Section 710(a)(14) of the Emergency School Act, Title VII *(P.L. 92-318)*. This section requires that State educational agencies be given an opportunity to submit comments on Emergency School Aid applications to the Assistant Secretary.

It is respectfully requested that your comments, if any, concerning the attached application be returned to this office no later than ten *(10)* days after receipt of this form and attachment. Receipt of your comments within this time period is necessary in order for them to be considered during the application review process. Complete the information below and attach comments, if any, to the Form. Return one *(1)* copy of this form to my office.

Your cooperation in the prompt execution of this request will be appreciated.

Sincerely,

Regional Commissioner of Education

EMERGENCY SCHOOL AID ACT

DATE RECEIVED FROM REGIONAL OFFICE	☐ COMMENT ATTACHED	☐ NO COMMENT
SIGNATURE OF AUTHORIZED OFFICIAL	NAME OF STATE EDUCATIONAL AGENCY	DATE FORWARDED TO REGIONAL OFFICE

OE FORM 235, 11/72

EMERGENCY SCHOOL AID **ESA APPLICATION TRANSMITTAL**	DATE	FUNDS REQUESTED $
	APPLICANT'S STATE	CONTRACTING OFFICE ADJUSTMENT IN REQUESTING FUNDS
NAME OF APPLICANT		ORIGINAL FUNDS REQUESTED $
ADDRESS *(number, street, city, State and ZIP code)*		ADJUSTED REQUEST $

The application from ______________________________
NAME OF SCHOOL DISTRICT/ORGANIZATION

has been reviewed and rated in accordance with requirements set forth by the Deputy Commissioner for School Systems. Transmitted herewith is the completed application form and supporting documents for review and action by the Regional Commissioner of Education.

OE Form 235 with a copy of the application attached was forwarded to the SEA on ______________.
DATE

OE Form 235 ☐ has been returned ☐ has not been returned to the OE Regional Office as of this date.

TYPE OF APPLICATION

☐ Basic LEA Grant ☐ Bilingual Grant

☐ Pilot Project Grant ☐ Nonprofit Group Grant

PRINT OR TYPE NAME OF ESA DIRECTOR	SIGNATURE OF ESA DIRECTOR	DATE

OE FORM 238, 11/72

ESA APPLICATION ABSTRACT

TYPE OF APPLICATION

☐ BASIC LEA GRANT ☐ PILOT PROJECT GRANT ☐ BILINGUAL GRANT ☐ NONPROFIT GROUP GRANT

NAME OF APPLICANT	STATE

PREVIOUS GRANTS

☐ ESAP I ☐ ESAP II ☐ NO ESAP GRANT ☐ TITLE IV ☐ NO TITLE IV GRANTS

MAJOR OBJECTIVES

☐ ACHIEVEMENT IMPROVEMENT ☐ REDUCTION OF TENSION ☐ OTHER

ACTIVITIES

LEA	NONPROFIT GROUP
☐ SPECIAL REMEDIAL SERVICES	☐ COMMUNITY INFORMATION PROGRAMS
☐ STAFF TRAINING	☐ HOME-FOCUSED PROGRAMS
☐ GUIDANCE AND COUNSELING SERVICES	☐ CULTURAL ENRICHMENT ACTIVITIES
☐ CURRICULUM DEVELOPMENT	☐ INTERRACIAL SOCIAL AND RECREATIONAL PROGRAMS
☐ CAREER EDUCATION PROGRAMS	☐ INTERRACIAL EDUCATIONAL ENRICHMENT PROGRAMS
☐ INNOVATIVE INTERRACIAL PROGRAMS	☐ CAREER ORIENTATION PROGRAMS
☐ COMMUNITY ACTIVITIES	☐ DROPOUT PREVENTION PROGRAMS
☐ ADMINISTRATIVE AND AUXILIARY SERVICES	☐ SUPPLEMENTAL REMEDIAL SERVICES
☐ PLANNING AND EVALUATION	☐ OTHER *(Specify)*
☐ FACILITY REPAIR	

BUDGET INFORMATION

FUNDS REQUESTED	$	FUNDS RECOMMENDED	$

REASONS FOR ANY BUDGET CUTS *(Use other side, if necessary)*

ITEM	REASON	AMOUNT CUT

ABSTRACT PREPARED BY *(Program Officer)*	DATE
SIGNATURE OF ESA DIRECTOR	DATE

EMERGENCY SCHOOL AID ACT

ESA APPLICATION RATING SUMMARY

TYPE OF GRANTS

☐ BASIC LEA GRANTS ☐ PILOT PROJECT GRANTS ☐ BILINGUAL GRANTS ☐ NONPROFIT GROUP GRANTS

STATE

BATCH NUMBER

REGION NO.

FISCAL YEAR

NAME OF APPLICANT	AMOUNT REQUESTED	TOTAL ENROLLMENT	STATISTICAL DATA RATING SCORES								TOTAL NUMBER OF POINTS	QUALITY RATING SCORE (panel review)	TOTAL SCORE	FUNDING LEVEL RECOMMENDED TO THE ASSOCIATE COMMISSIONER OR DISPOSITION
			NUMBER OF MINORITY STUDENTS		PERCENT OF MINORITY STUDENTS		EFFECTIVE NET REDUCTION OF RACIAL ISOLATION							
			NUMBER	POINTS	PERCENT	POINTS	PERCENT OF MINORITY STUDENTS	POINTS	NUMBER OF MINORITY STUDENTS	POINTS				

OE FORM 139, 11/72

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
OFFICE OF EDUCATION
EMERGENCY SCHOOL AID

RECOMMENDATION MEMORANDUM ON BATCH NO. ________

State of ______________________________

TYPE OF APPLICATION

☐ BASIC LEA GRANT ☐ PILOT PROJECT GRANT ☐ BILINGUAL GRANT ☐ NONPROFIT GROUP GRANT

SIGNATURE OF REGIONAL COMMISSIONER	DATE

OE FORM 239, 11/72

EMERGENCY SCHOOL AID ACT

APPLICATION BUDGET BREAKDOWN BY SPECIAL CATEGORIES

DATE

FISCAL YEAR

BATCH NUMBER

STATE

TYPE OF APPLICATION

☐ BASIC LEA GRANTS ☐ PILOT PROJECTS ☐ BILINGUAL GRANTS ☐ NONPROFIT GROUP GRANTS

NAME OF APPLICANT	AMOUNT REQUESTED BY SPECIAL CATEGORY			
	BASIC INSTRUCTIONAL SERVICES	BASIC SUPPORTIVE SERVICES	OTHER	TOTAL AMOUNT REQUESTED

OE FORM 240, 11/72

EMERGENCY SCHOOL AID ACT

APPLICATION CASE FILE CHECK SHEET

PROJECT NUMBER

BATCH NUMBER

FUNDING DECISION

GRANT NUMBER *(if any)*

PE OF APPLICATION

☐ BASIC LEA GRANT ☐ PILOT PROJECT GRANT ☐ BILINGUAL GRANT ☐ NONPROFIT GROUP GRANT

NAME AND LOCATION OF APPLICANT

ITEM	INCLUDED IN CASE FILE	
	YES	NO
1. APPLICATION FORM WITH ALL SIGNATURES AND REQUIRED ATTACHMENTS		
2. APPLICATION CHECK SHEET WITH CERTIFICATION OF APPLICATION COMPLETENESS PROGRAM OFFICER'S SIGNATURE ON OE FORM 136		
3. APPLICATION TRANSMITTAL SHEET		
4. SIGNED OCR VERIFICATION OF APPLICANT'S PLAN STATUS		
5. OCR COMPLIANCE CLEARANCE a. IN COMPLIANCE		
b. NOT IN COMPLIANCE		
c. OCR COMPLIANCE REVIEW REPORT		
6. DESEGREGATION PLAN WITH ALL ATTACHMENTS		
a. COPY OF COURT OR AGENCY ORDER **OR**		
b. COPY OF TITLE VI LETTER OF ACCEPTANCE		
7. SEA TRANSMITTAL FORM ☐ NO COMMENTS ☐ COMMENTS ATTACHED *(verify attachments)*		
8. BI- OR MULTI-RACIAL COMMITTEE DATA a. LIST OF BI- OR MULTI-RACIAL COMMITTEE INDICATING NAME, ADDRESS, RACE, ORGANIZATION REPRESENTED, BY WHOM SELECTED, AND PARENT OR NON-PARENT OR CHILD AFFECTED BY DESEGREGATION PLAN		
b. EVIDENCE OF PUBLIC NOTICE		
c. COMMENTS OF BI- OR MULTI-RACIAL COMMITTEE		
9. NARRATIVE DESCRIPTION OF PROJECT		
10. DETAILED BUDGET		
11. SIGNATURE ON STATEMENT OF ASSURANCES AND REQUIRED ATTACHMENTS *(verify attachments)*		
12. STATISTICAL DATA RATING FORM *(completed)*		
13. COMPLETED EDUCATIONAL ACTIVITY RATING FORMS		
14. COMPLETED ADMINISTRATIVE REVIEW OF BUDGET FORM		
15. PANEL REVIEW SUMMARY SHEET *(completed)*		
RECOMMENDATION MEMORANDUM AND ESA APPLICATION RATING SUMMARY CHART		
17. GRANT AWARD DOCUMENT, IF APPROPRIATE		

APPLICATION CASE FILE CHECKED FOR COMPLETENESS BY *(name of program officer or program assistant)*	DATE

OE FORM 149, 11/72

EMERGENCY SCHOOL AID ACT **RECOMMENDATION FOR APPLICATION RESUBMISSION**	DATE
TYPE OF APPLICATION ☐ BASIC LEA GRANT ☐ PILOT PROJECT GRANT ☐ BILINGUAL GRANT ☐ NONPROFIT GROUP GRANT	PROJECT NUMBER

NAME OF APPLICANT	ADDRESS (number, street, city, State and ZIP code)

PROVIDE EXPLICIT REASONS FOR PANEL'S DECISION

SIGNATURE OF PANEL MEMBER	DATE	SIGNATURE OF PANEL MEMBER	DATE
SIGNATURE OF PANEL MEMBER	DATE	SIGNATURE OF PANEL MEMBER	DATE

OE FORM 141, 11/72

EMERGENCY SCHOOL AID ACT

RECOMMENDATION FOR DELETION OF PROJECT COMPONENT(S)

DATE

PROJECT NUMBER

TYPE OF APPLICATION

☐ BASIC LEA GRANT

☐ BILINGUAL GRANT

☐ PILOT PROJECT GRANT

☐ NONPROFIT GROUP GRANT

NAME OF APPLICANT

ADDRESS *(number, street, city, State and ZIP code)*

GIVE REASON FOR PANEL'S DECISION FOR EACH COMPONENT DELETED AND INDICATE WHAT EFFECT DELETION(S) WILL HAVE ON THE APPLICANT(S) REACHING THE STATED OBJECTIVES

SIGNATURE OF PANEL MEMBER	DATE	SIGNATURE OF PANEL MEMBER	DATE
SIGNATURE OF PANEL MEMBER	DATE	SIGNATURE OF PANEL MEMBER	DATE

EMERGENCY SCHOOL AID ACT

EDUCATIONAL QUALITY RATING FORM

SUMMARY

Page 1 of 7 Pages

TOTAL NUMBER OF POINTS

TYPE OF APPLICATION

☐ BASIC LEA GRANT ☐ PILOT PROJECT GRANT ☐ BILINGUAL GRANT ☐ NON-PROFIT GROUP GRANT

NAME OF DISTRICT

CITY AND STATE

NAME OF PANEL MEMBER

DATE OF RATING

	CATEGORIES	NUMBER OF POINTS
NUMERICAL BREAKDOWN OF TOTAL NUMBER OF POINTS	NEEDS ASSESSMENT	
	OBJECTIVES	
	ACTIVITIES	
	RESOURCE MANAGEMENT	
	EVALUATION	
	REPLICABILITY *(PILOT PROJECTS ONLY)*	
	TOTAL	

COMMENTS *(if any)*

SIGNATURE OF PANEL MEMBER

DATE

OE FORM 143, 11/72

EMERGENCY SCHOOL AID ACT

EDUCATIONAL QUALITY RATING FORM

CATEGORY: NEEDS ASSESSMENT

Page 2

NUMBER OF POINTS

TYPE OF APPLICATION

BASIC ESA GRANT   PILOT PROJECT GRANT   BILINGUAL GRANT   NON-PROFIT GROUP GRANT

NAME OF DISTRICT

CITY AND STATE

NAME OF PANEL MEMBER

DATE OF RATING

GIVE REASON(S) FOR RATING THIS CATEGORY AS INDICATED ABOVE

FOR NONPROFIT GROUP APPLICATIONS INDICATE THE FOLLOWING:

Number of points for cooperation with local educational agency ______________

Number of points for magnitude of needs ______________

SIGNATURE OF PANEL MEMBER

OE FORM 143, 11/72

EMERGENCY SCHOOL AID ACT EDUCATIONAL QUALITY RATING FORM **CATEGORY: OBJECTIVES**	Page 3 of 7 Pages NUMBER OF POINTS (0 - 6)

TYPE OF APPLICATION

☐ BASIC LEA GRANT ☐ PILOT PROJECT GRANT ☐ BILINGUAL GRANT ☐ NON-PROFIT GROUP GRANT

NAME OF DISTRICT	CITY AND STATE
NAME OF PANEL MEMBER	DATE OF RATING

GIVE REASON(S) FOR RATING THIS CATEGORY AS INDICATED ABOVE

SIGNATURE OF PANEL MEMBER

OE FORM 143, 11/72

EMERGENCY SCHOOL AID ACT EDUCATIONAL QUALITY RATING FORM **CATEGORY: ACTIVITIES**	Page 4 of 7 Pages NUMBER OF POINTS (0 - 21)

E OF APPLICATION

BASIC LEA GRANT PILOT PROJECT GRANT BILINGUAL GRANT NON-PROFIT GROUP GRANT

E OF DISTRICT	CITY AND STATE
E OF PANEL MEMBER	DATE OF RATING

E REASON(S) FOR RATING THIS CATEGORY AS INDICATED ABOVE

NATURE OF PANEL MEMBER

FORM 143, 11 72

Page 5 of 7 Pages

EMERGENCY SCHOOL AID ACT
EDUCATIONAL QUALITY RATING FORM
CATEGORY: RESOURCE MANAGEMENT

NUMBER OF POINTS [illegible]

TYPE OF APPLICATION

BASIC LEA GRANT PILOT PROJECT GRANT BILINGUAL GRANT NON-PROFIT GROUP GRANT

NAME OF DISTRICT	CITY AND STATE
NAME OF PANEL MEMBER	DATE OF RATING

GIVE REASON(S) FOR RATING THIS CATEGORY AS INDICATED ABOVE

SIGNATURE OF PANEL MEMBER

OE FORM 143, 11/72

EMERGENCY SCHOOL AID ACT
EDUCATIONAL QUALITY RATING FORM
CATEGORY: EVALUATION

Page 6 of 7 Pages

NUMBER OF POINTS (0 - 6)

OF APPLICATION

BASIC LEA GRANT PILOT PROJECT GRANT BILINGUAL GRANT NON-PROFIT GROUP GRANT

OF DISTRICT

CITY AND STATE

OF PANEL MEMBER

DATE OF RATING

REASON(S) FOR RATING THIS CATEGORY AS INDICATED ABOVE

NATURE OF PANEL MEMBER

FORM 143, 11/72

EMERGENCY SCHOOL AID ACT EDUCATIONAL QUALITY RATING FORM **CATEGORY: REPLICABILITY** *(Pilot Projects ONLY)*	Page 7 of 7 Pages NUMBER OF POINTS *(0 - 8)*

TYPE OF APPLICATION

☐ BASIC LEA GRANT ☐ PILOT PROJECT GRANT ☐ BILINGUAL GRANT ☐ NON-PROFIT GROUP GRANT

NAME OF DISTRICT	CITY AND STATE
NAME OF PANEL MEMBER	DATE OF RATING

GIVE REASON(S) FOR RATING THIS CATEGORY AS INDICATED ABOVE

SIGNATURE OF PANEL MEMBER

OE FORM 143, 11/72

EMERGENCY SCHOOL AID ACT EDUCATIONAL QUALITY RATING **PANEL REVIEW SUMMARY** (For U.S.O.E. use only)	STATE PROJECT NUMBER DATE OF REVIEW

NAME OF APPLICANT	TYPE OF APPLICATION ☐ BASIC LEA GRANT ☐ PILOT PROJECT GRANT ☐ BILINGUAL GRANT ☐ NONPROFIT GROUP GRANT

NAME OF PANELIST	TOTAL SCORE
1.	
2.	
3.	
4.	
TOTAL	

COMPUTATION OF EDUCATIONAL QUALITY RATING SCORE:

Total ______________ divided by 4 equals ________________ educational quality rating score.

RINT OR TYPE NAME OF PROGRAM OFFICER	SIGNATURE OF PROGRAM OFFICER	DATE

OE FORM 241, 11/72

EMERGENCY SCHOOL AID ACT **ADMINISTRATIVE REVIEW OF BUDGET**	PROJECT NUMBER AMOUNT REQUESTED $ RECOMMENDED ADJUSTED BUDGET $

NOTE Attach documentation to support any modifications. Use additional sheets, if necessary.

TYPE OF APPLICATION

☐ BASIC LEA GRANT ☐ PILOT PROJECT GRANT ☐ BILINGUAL GRANT ☐ NON-PROFIT GROUP GRANT

NAME OF DISTRICT	CITY AND STATE

1. ARE ANY UNAUTHORIZED ITEMS OF COST REQUESTED? IF "YES," IDENTIFY AND DELETE FROM BUDGET. ☐ YES ☐ NO

2. ARE PROPOSED COST BREAKDOWNS ADEQUATE? IF "NO," PROGRAM OFFICER SHOULD BE NOTIFIED IMMEDIATELY SO AS TO CONTACT LEA FOR ADDITIONAL INFORMATION. ☐ YES ☐ NO

3. ARE ANY PROPOSED COSTS EXCESSIVE? IF "YES," IDENTIFY AND ADJUST IN BUDGET. ☐ YES ☐ NO

OE FORM 144, 11/72

(Use additional sheets, if necessary)

4. ARE FUNDS REQUESTED REQUIRED TO RESOLVE PROBLEMS INCIDENT TO THE REDUCTION OF RACIAL ISOLATION OR TO OVERCOMING THE ADVERSE EFFECTS OF RACIAL ISOLATION? IF "NO," IDENTIFY AND EXPLAIN. ☐ YES ☐ NO

5. IS SCOPE OF PROJECT ADEQUATELY DEFINED WITH RESPECT TO BUDGET REQUESTS AND PROGRAM ACTIVITIES? IF "NO," IDENTIFY AND EXPLAIN. ☐ YES ☐ NO

LIST REVISIONS IN BUDGET PRIOR TO PANEL REVIEW.

LIST REVISIONS IN BUDGET SUBSEQUENT TO PANEL REVIEW *(If any)*

TYPE OR PRINT NAME OF PROGRAM OFFICER	SIGNATURE OF PROGRAM OFFICER	DATE
TYPE OR PRINT NAME OF REGIONAL CONTRACTING OFFICER	SIGNATURE OF REGIONAL CONTRACTING OFFICER	DATE

EMERGENCY SCHOOL AID ACT

PRE-GRANT SITE REVIEW REPORT

REGION

DATE OF REPORT

NAME OF APPLICANT

ADDRESS OF APPLICANT *(include ZIP code)*

DATES OF REVIEW

TYPE OF APPLICATION

☐ BASIC LEA GRANT ☐ PILOT PROJECT GRANT ☐ BILINGUAL GRANT ☐ NONPROFIT GROUP GRANT

FUNDING LEVEL REQUEST

NAMES AND ORGANIZATIONAL AFFILIATION OF TEAM MEMBERS

TYPE OR PRINT NAME OF TEAM LEADER - SIGNATURE

I. STATISTICAL DATA VERIFICATION

ITEM	DATA ON APPLICATION		REVIEW FINDINGS		COMMENTS
	NUMBER	PERCENT	NUMBER	PERCENT	
1. DISTRICT-WIDE STUDENT ENROLLMENT					
2. NUMBER AND PERCENT OF MINORITY ENROLLMENT BY RACE (a) NEGRO					
(b) SPANISH-SURNAMED AMERICAN					
(c) ORIENTAL					
(d) ALASKAN NATIVE					
(e) PORTUGUESE					
(f) HAWAIIAN NATIVE					
(g) AMERICAN INDIAN					
3. TOTAL STUDENT ENROLLMENT INVOLVED IN THIS PROJECT					
4. NUMBER AND PERCENT OF MINORITY STUDENTS INVOLVED IN THIS PROJECT, BY RACE (a) NEGRO					
(b) SPANISH-SURNAMED AMERICAN					
(c) ORIENTAL					
(d) ALASKAN NATIVE					

OE FORM 242, 11/72

I. STATISTICAL DATA VERIFICATION *(continued)*

ITEM	DATA ON APPLICATION		REVIEW FINDINGS		COMMENTS
	NUMBER	PERCENT	NUMBER	PERCENT	
4. NUMBER AND PERCENT OF MINORITY STUDENTS INVOLVED IN THIS PROJECT, BY RACE: *(continued)* (e) PORTUGUESE					
(f) HAWAIIAN NATIVE					
(g) AMERICAN INDIAN					
5. TOTAL NUMBER OF SCHOOLS IN DISTRICT					
6. NUMBER AND PERCENT OF ISOLATED SCHOOLS					
7. NUMBER AND PERCENT OF MINORITY STUDENTS IN ISOLATED SCHOOLS					
8. NUMBER OF ISOLATED SCHOOLS INVOLVED IN THIS PROJECT					
9. PER PUPIL EXPENDITURES: (a) STATE - 1972-73					
(b) LEA - 1972-73					
(c) THIS PROJECT - 1972-73					
10. NUMBER OF STUDENTS REASSIGNED FOR THE SCHOOL YEARS INDICATED BELOW UNDER THE DISTRICTS APPROVED DESEGREGATION PLAN. INCLUDE ONLY THOSE STUDENTS ASSIGNED TO A SCHOOL DIFFERENT FROM THE ONE TO WHICH THEY WOULD HAVE BEEN ASSIGNED PRIOR TO AN APPROVED DESEGREGATION PLAN (a) BEFORE 1970					
(b) 1970-71					
(c) 1971-72					
(d) 1972-73					
(e) 1973-74					
11. TOTAL NUMBER OF ADMINISTRATIVE STAFF					
12. TOTAL NUMBER OF MINORITY ADMINISTRATORS					
13. RATIO OF MINORITY TO MAJORITY PROFESSIONALS TO ADMINISTER THIS PROJECT.					

I. STATISTICAL DATA VERIFICATION (continued)

ITEM	DATA ON APPLICATION		REVIEW FINDINGS		COMMENTS
	NUMBER	PERCENT	NUMBER	PERCENT	
14. TOTAL NUMBER OF TEACHING STAFF					
15. DISTRICT-WIDE NUMBER OF MINORITY TEACHERS BY RACE (a) NEGRO					
(b) ORIENTAL					
(c) SPANISH-SURNAMED AMERICAN					
(d) AMERICAN INDIAN					
(e) HAWAIIAN NATIVES					
(f) ALASKAN NATIVES					
(g) PORTUGUESE					
16. RATIO OF MINORITY TEACHERS TO MINORITY STUDENTS					
17. NUMBER AND PERCENT OF MINORITY TEACHERS INVOLVED IN THIS PROJECT					
18. NUMBER OF MINORITY TEACHERS IN ISOLATED SCHOOLS					
19. INTEGRATED SCHOOL(S) COMPONENT (a) PERCENT OF ENROLLMENT OF MINORITY STUDENTS LAST YEAR IN TARGET SCHOOL(S)					
(b) PERCENT OF PROJECTED ENROLLMENT OF MINORITY STUDENTS AFTER THIS PROJECT HAS BEEN IMPLEMENTED					
(c) TOTAL PROJECTED NUMBER OF STUDENTS SHIFTED INTO OR OUT OF THE SCHOOL DUE TO IMPLEMENTATION OF THIS PROJECT					
(d) TOTAL PROJECTED STUDENT ENROLLMENT AFTER IMPLEMENTATION OF THIS PROJECT					
(e) NUMBER OF PROJECTED STUDENT ENROLLMENT FROM EDUCATIONALLY ADVANTAGED BACKGROUND					
20. INTERDISTRICT TRANSFER (a) NUMBER OF PARTICIPATING LEA'S					
(b) NUMBER OF SMSA PARTICIPANTS					
(c) NUMBER OF STUDENTS TO BE TRANSFERRED INTO THE RECEIVING DISTRICT					
(d) TRANSPORTATION DISTANCE FROM MAJOR PICKUP POINTS *(one way)*					

Page ____ of ____ Pages

I. STATISTICAL DATA VERIFICATION *(continued)*

ITEM	DATA ON APPLICATION		REVIEW FINDINGS		COMMENTS
	NUMBER	PERCENT	NUMBER	PERCENT	
20. INTERDISTRICT TRANSFER *(continued)*					
(e) NUMBER AND PERCENT OF MINORITY STUDENTS IN RECEIVING DISTRICT (1) ELEMENTARY					
(2) SECONDARY					
(f) NUMBER AND PERCENT OF MINORITY STUDENTS TO BE TRANSFERRED BY GRADE (1) KINDERGARTEN					
(2) 1					
(3) 2					
(4) 3					
(5) 4					
(6) 5					
(7) 6					
(8) 7					
(9) 8					
(10) 9					
(11) 10					
(12) 11					
(13) 12					
(g) **NUMBER** OF MINORITY PROFESSIONAL STAFF INVOLVED IN THIS COMPONENT					
(h) NUMBER OF MINORITY PROFESSIONAL STAFF TRANSFERRED					
(i) NUMBER OF MINORITY PROFESSIONAL STAFF IN RECEIVING SCHOOL					

ITEM	DATA ON APPLICATION		REVIEW FINDINGS		COMMENTS
	NUMBER	PERCENT	NUMBER	PERCENT	
21. SMSA COMPONENT					
(a) NUMBER OF PARTICIPATING LEA'S					
(b) NUMBER AND PERCENT OF MINORITY STUDENTS ENROLLED IN THE PARTICIPATING LEA'S					
(c) NUMBER AND PERCENT OF STUDENTS INCLUDED IN THIS PROJECT					
(d) NUMBER AND PERCENT OF MINORITY STUDENTS TO BE INCLUDED IN THIS PROJECT					
(e) NUMBER OF MINORITY PROFESSIONALS INCLUDED IN THIS PROJECT					
(f) RATIO OF MINORITY PROFESSIONALS TO MAJORITY PROFESSIONALS INVOLVED IN THIS PROJECT					
22. BILINGUAL COMPONENT					
(a) NUMBER AND PERCENT OF STUDENTS IN DISTRICT WITH DOMINANT LANGUAGE OTHER THAN ENGLISH					
(b) NUMBER OF BILINGUAL PROJECTS OPERATING IN DISTRICT					
(c) NUMBER OF PARTICIPANTS PARTICIPATING IN EXISTING BILINGUAL PROGRAMS					
23. NUMBER OF ADVISORY COMMITTEE MEMBERS, BY RACE:					
(a) NEGRO					
(b) SPANISH-SURNAMED AMERICANS					
(c) ALASKAN NATIVES					
(d) PORTUGUESE					
(e) HAWAIIAN NATIVES					
(f) ORIENTAL					
(g) CAUCASIANS					
(h) AMERICAN INDIANS					
24. DATE ADVISORY COMMITTEE WAS ORGANIZED					

I. STATISTICAL DATA VERIFICATION (continued)

ITEM		DATA ON APPLICATION		REVIEW FINDINGS		COMMENTS
		NUMBER	PERCENT	NUMBER	PERCENT	
25. AVERAGE DISTRICT READING ACHIEVEMENT LEVELS FOR GRADES	(a) 3					
	(b) 6					
26. AVERAGE DISTRICT MATHEMATICS/ ARITHMETIC ACHIEVEMENT LEVELS FOR GRADES:	(a) 3					
	(b) 6					
27. AVERAGE READING ACHIEVEMENT LEVELS IN MINORITY ISOLATED SCHOOLS FOR GRADES:	(a) 3					
	(b) 6					
28. AVERAGE MATHEMATICS/ARITHMETIC ACHIEVEMENT LEVELS IN MINORITY ISOLATED SCHOOLS FOR GRADES	(a) 3					
	(b) 6					

II. PROGRAM SERVICES IDENTIFICATION

ON SEPARATE SHEET(S), RESPOND TO FOLLOWING ITEMS. IDENTIFY YOUR RESPONSE BY ITEM NUMBER.

ITEM NO.

1. Identify all sources of federally funded programs targeted for the elementary and secondary levels presently operating in the applicant districts(s). Include level of funding for each source.
2. From the above list identify those funds earmarked for minority isolated schools.
3. List all programs with the objectives that are designed to overcome the educational disadvantages of minority group isolation.
4. Identify the number and percent of minority students serviced by each of the programs listed under item 3 above.
5. Identify all programs and projects that are designed to overcome problems identified in the NEEDS ASSESSMENT portion of the application and assess their impact on reducing problem intensity.
6. Identify all existing program objectives that are similar to the objectives stated in the application.
7. Identify resources received from the State targeted to minority isolated schools in the district.
8. Determine how the applicant will coordinate State, Federal and local resources in addressing problems identified in NEEDS ASSESSMENT.
9. Identify all State and Federal resources targeted for the same student population to be serviced by this grant.

III. MANAGEMENT CAPABILITY QUESTIONNAIRE

ON SEPARATE SHEET(S), RESPOND TO FOLLOWING ITEMS. IDENTIFY YOUR RESPONSE BY ITEM NUMBER.

ITEM NO.

1. Does the applicant have the professional capabilities to manage this grant?
2. What has been the applicants past performance in administering other federally funded programs?
3. Has the applicant been able to meet deadline dates of fiscal reports?
4. Does the applicant have the capital to commence project activities prior to receiving program funds?
5. Is the budget realistic in terms of line item costs, objectives and scope of work?
6. What person or persons will be responsible for expending moneys under this program?
7. What has been their previous experience in managing a grant of this size?
8. Is the applicant knowledgeable of the basic terms and conditions of grants contract awarded under ESAA?
9. What percent of this project will be subcontracted?
10. Was the subcontractor(s) selected by a bidding process?
11. Does the subcontractor(s) have the professional capability to perform the scope of work assigned?

III. MANAGEMENT CAPABILITY QUESTIONNAIRE *(continued)*

ON SEPARATE SHEET(S), RESPOND TO FOLLOWING ITEMS. IDENTIFY YOUR RESPONSE BY ITEM NUMBER.

ITEM NO.

12. Based on the subcontractor(s) past performance, what is the projected success probability in performing the task under this project?

13. Have controls been established by the applicant governing the performance of the subcontractor(s)?

14. What controls have been established to prevent overcommitment of funds for this project?

15. How will the applicant assure the funding agency that moneys provided under this authorization will reach the people for whom the project was intended to serve?

16. What percent of the project is earmarked for consultant services?

17. Is the consultant fee realistic in terms of the scope of work?

18. How would you assess the applicant's management capability to implement this project successfully?

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION

EMERGENCY SCHOOL AID ACT

TRANSMITTAL OF APPLICATION FOR HEW REGIONAL DIRECTOR'S REVIEW

DATE FORWARDED FROM REGIONAL COMMISSIONER'S OFFICE ____________________

PROJECT NUMBER ____________________

NAME OF APPLICANT	ADDRESS *(number, street, city, State and ZIP code)*

The attached Emergency School Aid Act (ESAA) application is being forwarded to you for your information and review.

My recommendation concerning disposition of this application must be transmitted to the Associate Commissioner for EEO by ____________________ . Please return one (1) copy of the form with information below completed and comments attached, if any, to my office prior to the above date.

Your cooperation in the prompt execution of this request will be appreciated.

Sincerely,

Regional Commissioner of Education

EMERGENCY SCHOOL AID ACT

DATE RECEIVED FROM OE REGIONAL OFFICE	☐ COMMENTS ATTACHED ☐ NO COMMENT
SIGNATURE OF REGIONAL DIRECTOR	DATE RETURNED TO OE REGIONAL OFFICE

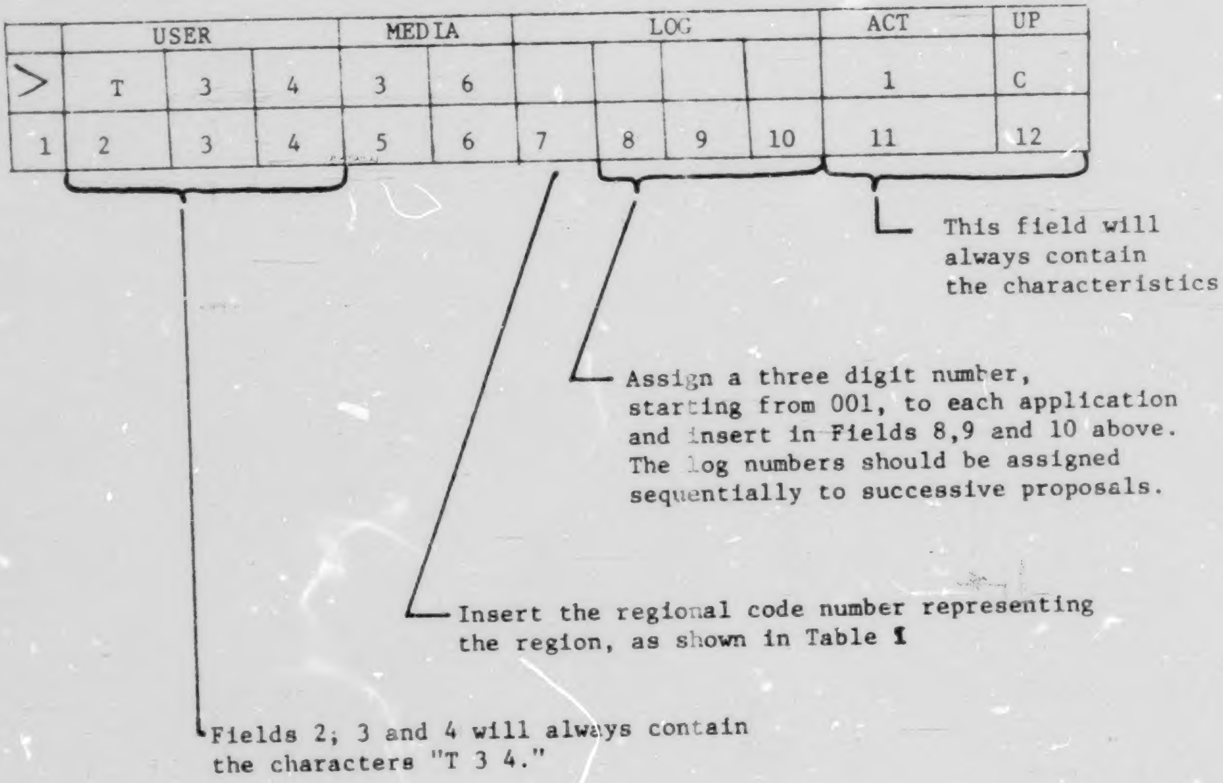
APPENDIX C:

INSTRUCTIONS FOR COMPLETING PGIS - MEDIA 36

APPENDIX C

Instructions for Completing PGIS - Media 36

Header Control Block



	USER			MEDIA		LOG				ACT	UP
>	T	3	4	3	6					1	C
1	2	3	4	5	6	7	8	9	10	11	12

This field will always contain the characteristics

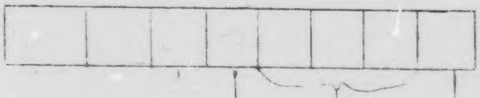
Assign a three digit number, starting from 001, to each application and insert in Fields 8,9 and 10 above. The log numbers should be assigned sequentially to successive proposals.

Insert the regional code number representing the region, as shown in Table I

Fields 2, 3 and 4 will always contain the characters "T 3 4."

PR Number

APPENDIX C



Insert a letter indicating the number of resubmissions of this proposal. "A" is used for the first resubmission, "B" for the second, etc. If this is the first submission leave this field blank."

Insert the three digit log number assigned to the proposal. This number is the same as that used in Fields 8, 9 and 10 of the Header Control Block.

Insert the letter code representing the type of application submitted, as shown in Table 2.

Insert the regional code number representing the region, as shown in Table 1.

Insert the last digit of the current fiscal year (e.g., use "3" for FY 1973).

Always insert the letter "T" in this field.

Program Identification Code

For ESAA this code will always be T70000000.

* If applicant is ineligible put x in this field.

APPENDIX C

TABLE I: REGIONAL CODES

CODE	REGION
1	Boston
2	New York
3	Philadelphia
4	Atlanta
5	Chicago
6	Dallas
7	Kansas City
8	Denver
9	San Francisco
0	Seattle

TABLE 2: TYPE APPLICATION

CODE	TYPE APPLICATION
G	General LEA
P	Pilot Project
I	Integrated Schools
E	Education Parks
D	Inter-District
S	SMSA Planning
B	Bilingual
J	Special Projects
N	Non-profit
V	ETV

APPENDIX C

EXAMPLES

Batch I - District #1, Florida (General LEA application)

User/Log Number

	USER			MEDIA		LOG				ACT	UP
>	T	3	4	3	6	4	0	0	1	1	C
1	2	3	4	5	6	7	8	9	10	11	12

PR Number - T34G001

Batch II - Resubmission of Application from District #1, Florida

User/Log Number

	USER			MEDIA		LOG				ACT	UP
>	T	3	4	3	6	4	1	0	6	1	C
1	2	3	4	5	6	7	8	9	10	11	12

PR Number - T34G001A

Batch III-Resubmission of Application from District #1, Florida

User/Log Number

	USER			MEDIA		LOG				ACT	UP
>	T	3	4	3	6	4	5	5	6	1	C
1	2	3	4	5	6	7	8	9	10	11	12

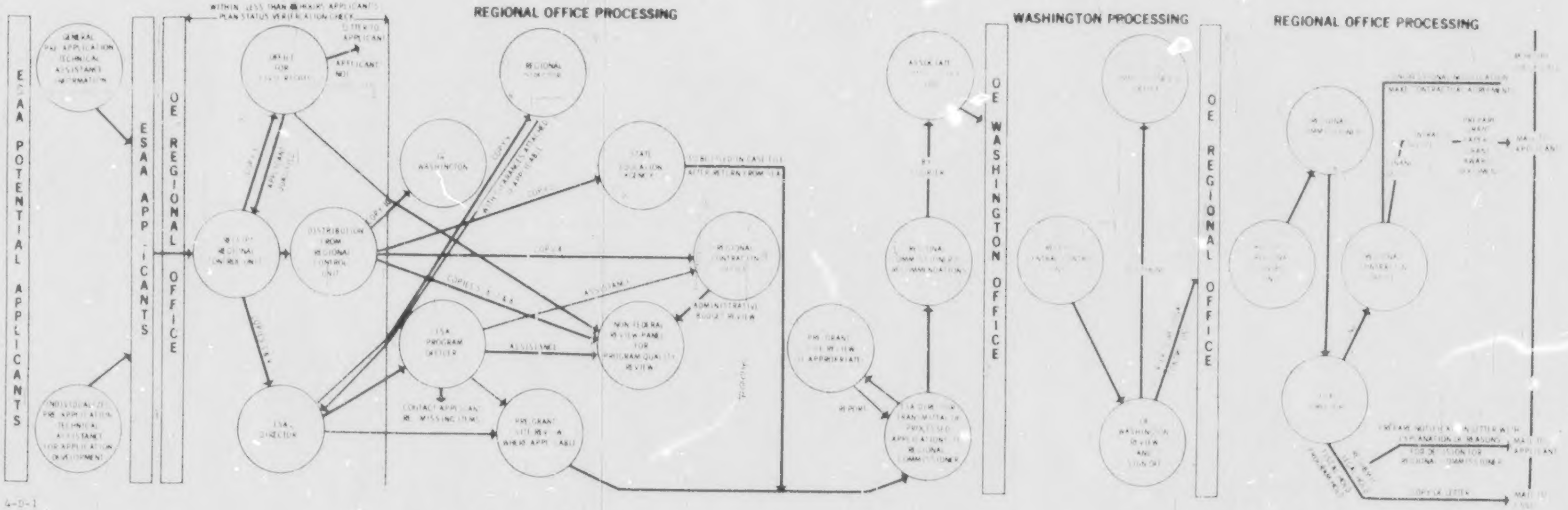
PR Number - T34G001C

In order to track all applications as they are submitted to the Regional Offices, a copy of PGIS Media 36 will be submitted for each application. For those applicants that are funded a copy of the Grant Award Document will be forwarded to Washington to enable Washington User to process additional PGIS input forms.

APPENDIX D:

ESAA ADMINISTRATIVE APPLICATION FLOW CHART

ESAA ADMINISTRATIVE APPLICATION FLOW CHART


REGIONAL OFFICE PROCESSING
WASHINGTON PROCESSING
REGIONAL OFFICE PROCESSING
ESAA POTENTIAL APPLICANTS
GENERAL PRE-APPLICATION TECHNICAL ASSISTANCE INFORMATION
INDIVIDUALIZED PRE-APPLICATION TECHNICAL ASSISTANCE FOR APPLICATION DEVELOPMENT
ESAA APPLICANTS
OE REGIONAL OFFICE
WITHIN LESS THAN HOURS APPLICANT'S PLAN STATUS VERIFICATION CHECK
OFFICE FOR CIVIL RIGHTS
LETTER TO APPLICANT
APPLICANT NOT
COPY
APPLICANT
RECEIPT REGIONAL CONTROL UNIT
DISTRIBUTION FROM REGIONAL CONTROL UNIT
COPY
ESAA DIRECTOR
OE WASHINGTON
REGIONAL DIRECTOR
COPY
WITH GUARANTEES ATTACHED IF APPLICABLE
COPY
STATE EDUCATION AGENCY
TO BE FILED IN CASE FILE AFTER RETURN FROM SEA
COPY 4
REGIONAL CONTRACTING OFFICE
COPIES 5, 6 & 8
ASSISTANCE
ESAA PROGRAM OFFICER
ASSISTANCE
NON-FEDERAL REVIEW PANEL FOR PROGRAM QUALITY REVIEW
ADMINISTRATIVE BUDGET REVIEW
CONTACT APPLICANT RE: MISSING ITEMS
PRE-GRANT SITE REVIEW WHERE APPLICABLE
PRE-GRANT SITE REVIEW IF APPROPRIATE
REPORT
ESA DIRECTOR TRANSMITTAL OF PROCESSED APPLICATIONS TO REGIONAL COMMISSIONER
REGIONAL COMMISSIONER RECOMMENDATIONS
BY COURIER
ASSOCIATE
OE WASHINGTON OFFICE
OE WASHINGTON REVIEW AND SIGN OFF
OE REGIONAL OFFICE
REGIONAL COMMISSIONER
REGIONAL CONTRACTING OFFICE
CONDITIONAL NEGOTIATION MAKE CONTRACTUAL AGREEMENT
PREPARE GRANT PAPERS GRANT AWARD DOCUMENTS
MAIL TO APPLICANT
PREPARE NOTIFICATION LETTER WITH EXPLANATION OF REASONS FOR DECISION FOR REGIONAL COMMISSIONER
MAIL TO APPLICANT
COPY OF LETTER
MAIL TO

Quarterly Program Progress Report
Emergency School Aid Act

TYPE: ☐ Basic LEA Grant ☐ Billingual Grant ☐ Pilot Project Grant ☐ Non-Profit Group Grant

DURATION OF GRANT: From____________ To____________ Report #1 #2 #3 #4 #5

DATE ENDING ______ ______ ______ ______ ______

AUTHORIZED REPRESENTATIVE________________________
Signature

DATE OF SUBMISSION OF REPORT____________

COLUMN I Major Event	COLUMN II Starting Date		COLUMN III Completion Date		COLUMN IV Actual Accomplishments	COLUMN V Difference Between and Actual Accomplishments
	Planned	Actual	Planned	Actual		

OMB 51R - 1139

OE FORM 275

OMB NO. 80-R0180

FINANCIAL STATUS REPORT

1. FEDERAL [illegible] ORGANIZATIONAL ELEMENT

2. FEDERAL GRANT NO. OR OTHER IDENTIFYING NO.

3. NAME AND ADDRESS OF GRANTEE ORGANIZATION

4. EMPLOYER IDENTIFICATION NO.

5. GRANTEE ACCOUNT NO. OR IDENTIFYING NO.

6. FINAL REPORT ☐ YES ☐ NO

7. BASIS OF REPORT ☐ CASH ☐ ACCRUED EXPENDITURES

8. PROJECT PERIOD (Month, Day, Year) FROM | | | TO | | |

9. REPORT PERIOD (Month, Day, Year) FROM | | | TO | | |

10. STATUS OF FUNDS	PROGRAMS - FUNCTIONS - ACTIVITIES						
	(1)	(2)	(3)	(4)	(5)	(6)	TOTAL
a. Total outlays previously reported							
b. Total program outlays this period							
c. LESS: program income credits							
d. Net program outlays this period							
e. Total program outlays to date							
f. LESS: Non-Federal share of program outlays							
g. Total Federal share of program outlays							
h. Total unpaid obligations							
i. LESS: Non-Federal share of unpaid obligations							
j. Federal share of unpaid obligations							
k. Total Federal share of outlays and unpaid obligations							
l. Total Federal funds authorized							
m. Unobligated balance of Federal funds							

11. INDIRECT EXPENSE a. TYPE OF RATE (Mark box)

☐ PROVISIONAL ☐ FINAL

☐ PREDETERMINED ☐ FIXED

b. RATE

c. BASE

d. TOTAL AMOUNT

e. FEDERAL SHARE

12. REMARKS (Attach additional sheets if necessary)

13. Certification – I certify that to the best of my knowledge and belief this report is correct and complete and that all outlays and unpaid obligations are for the purpose set forth in the grant award documents.

NAME

TITLE

TELEPHONE

AREA CODE

NUMBER

EXT.

SIGNATURE OF AUTHORIZED OFFICIAL

DATE REPORT IS SUBMITTED

Equal Educational Opportunity
Request for Budget Revision

Name of Grantee: ______________________ Grant Number: ____________

Address: ______________________________________
Number Street

____
City State Zip

Type of Grant for which Budget Revision Requested:

☐ Basic ☐ Pilot ☐ Bilingual ☐ Nonprofit Group ☐ Title IV (CRA)

Specify (a) the amount of money to be transferred and (b) the activities and the cost categories affected by the transfer.

____

____

____

____

____

____

State your reasons for requesting this transfer.

____

____

____

____

____

____

Attach a copy of the revised budget, using the format presented in Section IV of the ESAA application (Part III, Section B of the Title IV application). Attach also a revised version of the detailed budget explanation, as called for in Section IV of the ESAA application (Part III, Section F of the Title IV application).

______________________________ ______________
Signature of Authorized Representative Date

OE Form 376

Equal Educational Opportunity

Action Memo Concerning Grantee's Request for Budget Revision

Name of Grantee ______________________________

Grant Number ______________________________

Type of Grant to be Revised:

☐ Basic ☐ Pilot ☐ Bilingual ☐ Nonprofit Group ☐ Title IV (CRA)

Action Recommended:

☐ Approve the Request ☐ Deny the Request

Comment: ______________________________

Signature of Program Officer — Date — Signature of Regional Program Manager — Date

Action Taken by Contracts and Grants Office

☐ Request Approved ☐ Request Denied

Signature of Regional Contracting Officer — Date

OE Form 277

Equal Educational Opportunity

Site Review Plan

Name of Grantee ____________________ Grant Number ____________________

Team Leader ____________________ Review Dates ____________________

Purpose of Review ____

Team Member	Assignment	Appointment: (person, place and time for each appointment)

Approved ____________________
Program Manager

OE 278

Emergency School Aid Act

Site Review Statistical Report

Name of Grantee ______________________________ Grant Number ______________________________

Team Leader ______________________________ Review Dates ______________________________

Item	Data on Application	Data should be most current available		Deviations Noted and Explanations
		Data in OCR Records	Data from Site Review	
1. District-wide student enrollment				
2. Minority enrollment				
(a) Negro				
(b) American Indian				
(c) Spanish-surnamed				
(d) Portuguese				
(e) Oriental				
(f) Hawaiian Native				
(g) Alaskan Native				
(h) Nonminority				
3. Total number of students involved in this project				
4. Students involved in this project				
(a) Negro				
(b) Spanish surnamed				
(c) American Indian				
(d) Oriental				
(e) Other Minority				
(f) Nonminority				

OE 279

Emergency School Aid Act

Site Review of Program Operation--School Districts

Name of Grantee ______________________ Grant Number ______________

Name of Reviewer ______________________ Review Date ______________

School Reviewed ____

Names and positions of persons who were main sources of information:

____

____

____

Activities Authorized for ESAA (as listed in Section 707 of the Emergency School Aid Act):

- ☐ 1. Special Remedial Services
- ☐ 2. Professional Staff
- ☐ 3. Teacher Aides
- ☐ 4. In-Service Teacher Training
- ☐ 5. Guidance and Counseling
- ☐ 6. Curriculum Development
- ☐ 7. Career Education
- ☐ 8. Innovative Interracial Activities
- ☐ 9. Community Activities
- ☐ 10. Administrative Services
- ☐ 11. Planning and Evaluation
- ☐ 12. Repair and Remodeling

In each school that is reviewed, the monitoring team should determine which of the above twelve authorized activities are being conducted. Those being conducted should be checked off in the boxes provided. (See Section 185.12 of the regulations for a more detailed explanation of each activity.) The following questions should be answered for the activities which make up the ESAA program in the school under review. One of these forms should then be filled in for each school reviewed. The questions are designed to assist the monitor in determining whether or not the funded activities are being implemented as set forth in the approved application.

AF 7001

1. Do the persons conducting the project have adequate knowledge and understanding of the purposes of ESAA? Cite evidence of the relationship of the project activities to the purposes of ESAA.

2. Do the activities supplement the regular program? Cite evidence.

3. Do the grantee's evaluation procedures indicate that objectives are being achieved as planned? Cite any extenuating circumstances which preclude the grantee from achieving the objectives set out in the application.

4. Is there evidence of educational achievement in reading and mathematics which has been brought about by the project activities? Briefly describe evidence, such as control groups, testing procedures, etc.

5. Are grouping procedures carried out in such a way as to prevent minority group isolation or resegregation? If not, explain in detail.

6. In the recruiting, hiring, and traing of teacher aides, was preference given to parents of children attending schools assisted by ESAA funds? If not, explain.

7. Are the activities effectively administered to deliver the services agreed upon in the application? If not, expain.

8. Do the project activities have impact on other related programs, such as Titles I, III, and VII of ESEA? Explain.

9. Do the project activities have impact on the community? Explain.

10. Is there any evidence of discriminatory faculty assignment or unwarranted dismissal of minority staff members? Describe.

11. Would you recommend this project for replication? Why or why not?

12. Is there evidence of any discriminatory policy or practice directed against minority pupils, such as policies concerning expulsion or extra-curricular activities? If so, explain.

13. Does the advisory committee appear to make substantial contributions to the success of the project?

14. Are the grantee's procedures for financial management adequate? Cite evidence.

15. Are the grantee's general administrative procedures related to matters such as personnel, reports, supervision of and need for consultants, adequate? Cite evidence.

16. If you feel it appropriate, write a brief paragraph summarizing the answers to the above questions which were the most relevant to this project and including any additional observations which you feel should be noted.

Emergency School Aid Act

Site Review of Program Operation--Nonprofit Organizations

Name of Grantee ______________________ Grant Number ______________

Name of Reviewer ______________________ Review Date ______________

Project Reviewed ____

Name of LEA being assisted ______________________________________

Names and positions of persons who were main sources of information:

____

____

Activities Authorized for ESAA (as listed in Section 18.562 of the regulations):

☐ 1. Community Information Programs

☐ 2. Home Focused Programs

☐ 3. Cultural Enrichment Activities

☐ 4. Interracial Social and Recreational Programs

☐ 5. Interracial Educational Enrichment Programs

☐ 6. Career Orientation Activities

☐ 7. Dropout Prevention Programs

☐ 8. Supplemental Remedial Services

☐ 9. Other (specify)

For each project that is reviewed, the monitoring team should determine which of the above authorized activities are being conducted. Those being conducted should be checked off in the boxes provided. (See Section 185.62 of the regulations for a more detailed explanation of each activity.) The following questions should be answered for the activities which make up the ESAA program of the NPO under review. The questions are designed to assist the monitor in determining whether or not the funded activities are being implemented as set forth in the approved application.

1. Do the persons conducting the project have adequate knowledge and understanding of the purposes of ESAA? Cite evidence of the relationship of the project activities to the purposes of ESAA.

2. Do the activities actually supplement or complement the desegregation efforts of the LEA? Cite evidence.

3. Have formal procedures been established for liaison between the grantee and the LEA? Is this liaison adequate? Check with both the grantee and the LEA.

4. Are the grantee's procedures for financial management adequate? Cite evidence.

5. Are the grantee's general administrative procedures related to matters such as personnel, reports, supervision of and need for consultants adequate? Cite evidence.

6. Are the activities effectively administered to deliver the services agreed upon in the application? If not, explain.

7. Has the grantee established and actually implemented adequate procedures for project evaluation as well as procedures for data collection? Cite evidence.

8. Do the grantee's evaluation procedures indicate that objectives are being achieved as planned? Cite any extenuating circumstances which preclude the grantee from achieving the objectives set out in the application.

9. Is there evidence of educational achievement in reading and mathematics which has been brought about by the project activities? Briefly describe evidence, such as control groups, testing procedures, etc.

Emergency School Aid Act

Survey of District-Wide Advisory Committee Participation in ESAA Grants

(To be completed by the chairman of the advisory committee during site review)

Name of Grantee ______________________________ Grant Number ____________________

Chairman of Advisory Committee ______________________________ Date ____________
(Name)

Fill in the blanks:

1. Committee membership
   a. What is the racial composition of the advisory committee? ____________
   b. How many members are parents of children attending school in the school district? ____________
   c. How many members are secondary students attending school in the district? ____________
   d. How many members are teachers in the district? ____________
   e. How many members are administrators or school board members in the district? ____________
   f. What civic organizations are represented? ____________

Check appropriate column for each item:	yes	no
2. Were the members appointed to the committee at least 15 days prior to the submission of the application?	____	____
3. When the committee was established, were members provided with copies of the Act and the regulations?	____	____
4. Was the committee consulted in identifying problems and assessing the needs to be addressed by the application?	____	____
5. Were members afforded a reasonable opportunity (not less than 10 days) to review and comment on the application?	____	____

	Yes	No
6. Were the names of the members of the advisory committee published in a newspaper of general circulation or otherwise made public before the application was submitted?	____	____
7. (School district grantees only) Was at least one open public hearing held with parents, teachers, and secondary school students, (including but not limited to the members of the district-wide advisory committee) prior to the submission of the application?	____	____
8. (School district grantees only) Was the committee aware that a majority of its members could request an informal hearing with the Assistant Secretary for Education or his representative prior to the approval of the ESAA application?	____	____
9. Is a formal meeting of the advisory committee held at least once a month at which are discussed policy matters arising in the administration and operation of the ESAA application?	____	____
10. Has the committee had reasonable opportunity to observe and comment on all project-related activities?	____	____
11. Are you aware that any amendment of or addition to the application cannot be approved and funds cannot be made available until the amendment or addition is reviewed and opportunity is provided for by the advisory committee?	____	____
12. (School district grantees only) Are you aware that any amendments or additions to the approved application which have been suggested by the advisory committee must be forwarded by the school district to the regional office?	____	____

Emergency School Aid Act
District-Wide Advisory Committee Review Report

Name of Grantee ______________________ Grant Number ______________

Reviewer ______________________ Review Date ______________

ITEM	Satisfactory	Unsatisfactory	Comment
1. Committee Membership			
a) Minority-Nonminority Representation			
b) Representation of Civic Organizations			
c) Representation of Faculty, Administration and/or School Board			
d) Parent Representation			
e) Student Representation			
2. Pre-Submission Activity			
a) Committee formed in advance of submission			
b) Members given copies of Act and regulations			
c) Committee consulted in development process			
d) Committee given time to review application			
e) Membership advertised properly			
f) Open public hearing held prior to submission (LEAs only)			
g) Members aware of right to outside hearing (LEAs only)			
3. Monthly meetings held in accordance with regulations			
4. Committee able to observe project activities			
5. Committee aware of rights concerning amendments to project			
6. Minutes taken in monthly meetings			

OE 281

Emergency School Aid Act

Student Advisory Committee Review Report

Name of Grantee ______________________ Grant Number ______________

Reviewer ______________________ Review Date ______________

ITEM	Satisfactory	Unsatisfactory	Comment
1. Committee Membership a) Minority-Nonminority Representation			
b) Selected by student body or student government			
c) Selected within 15 days of program approval			
d) Names of members published within 10 days after their selection			
2. Members provided copies of ESAA act, regulations, and LEA's application			
3 Meetings scheduled regularly with school administrations regarding ESAA project			
4. Committee established in each secondary school involved in project			

OE 282

QUARTERLY REGIONAL MONITORING SUMMARY REPORT

REGION ______________ STATE ______________ DATE OF REPORT ______________

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
GRANTEE (Indicate name and location of each grantee, the type of project being conducted, and the funding level.)	REVIEW DATA (Indicate name(s) of program officer(s) participating in the review. If more than one, identify team leader. Cite date that review took place.)	DESCRIPTION OF FINDINGS (Describe evidence of grantee's success in carrying out planned objectives. Describe problems and indicate whether each is program, fiscal, or OCR.)	SUMMARY OF ACTIONS RECOMMENDED (Describe corrective actions, technical assistance, negotiations, and other follow-up procedures taken or recommended. Give estimated date for completion of all recommended actions.)	LEGAL PROCEEDINGS (Report legal proceedings in progress or planned, including all relevant dates.)

OE 283

OE 284

Emergency School Aid Act

Notification of Non-Compliance with Regulations and Requirements of ESAA Grant

Grantee ______________________________
(Name) (Grant Number) (Address)

Nature of Non-Compliance:

☐ Program ☐ Fiscal ☐ Civil Rights

Date of Site Review ____________ Date of Grantee Quarterly Report ____________

(This information to be filled in by program officer.)

Activity	Evidence of Non-Compliance	Recommendation for Corrective Action

Submitted by ______________________________ Date ____________

(This information to be filled in by Washington OGC.)

Describe dates and extent of any technical assistance provided; detailed information on any negotiations for voluntary compliance; correspondence with the grantee regarding the violation(s); and a summary of findings of site reviews relevant to the violation(s).

Corrective Action Required	Schedule for Implementation

Submitted by Date

Emergency School Aid Act

Survey of Student Advisory Committee Participation in ESAA Grant

(to be completed by chairmen of the committees during site review)

Name of Grantee ______________________ Grant Number ______________

Chairman of Student Advisory Committee ______________________
Name

______________________ ______________________
School Date

Fill in the blank:

1. What is the racial composition of the committee? ______________________

Answer "yes" or "no" for each question:	YES	NO
2. Were members selected by the student body or the student government in your school? (Answer "yes" if selected by either of these two groups. Answer "no" if selected by any other person or group.)	___	___
3. Were the members of the Student Advisory Committee selected soon after approval of the ESAA application or soon after the beginning of the school year (if the application was approved over the summer)?	___	___
4. Were the names of the members of your advisory committee, along with the purposes of the committee, published in a newspaper of general circulation or otherwise made public within 10 days after the selection of members?	___	___
5. Have the members received copies of the ESAA act and the ESAA regulations?	___	___
6. Did the members receive a copy of your school district's approved ESAA application?	___	___
7. Has your committee met regularly with your school administration to discuss matters related to the ESAA project?	___	___

[redacted]

BUREAU OF EQUAL EDUCATIONAL OPPORTUNITY

COMPREHENSIVE MANAGEMENT MANUAL FOR THE EMERGENCY SCHOOL AID ACT METROPOLITAN AREA PROJECTS

A PROGRAM ADMINISTERED

under TITLE VII of the

EDUCATION AMENDMENTS OF 1972
(PUBLIC LAW 92-318)

1973

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PREFACE

This manual is intended for use by OE supervisors and staff personnel who are responsible for implementation of the Emergency School Aid Act, Title VII, P.L. 92-318. Its usefulness and timeliness are the responsibility of the Bureau of Equal Educational Opportunity; under the Deputy Commissioner for School Systems.

COMPREHENSIVE MANAGEMENT MANUAL
FOR THE EMERGENCY SCHOOL AID ACT
TITLE VII, P.L. 92-318

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EMERGENCY SCHOOL AID

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I. Purpose of the Manual

The Comprehensive Management Manual for the Emergency School Aid Act (ESAA), Metropolitan Area Project (MAP), Title VII, P.L. 92-318 is established as the permanent, authoritative reference for policy and procedures information, standards, and direction to all supervisors and staff personnel charged with implementing this portion of the Emergency School Aid Act. It is expected that this task will be facilitated by the development and use of carefully delineated management procedures. This Manual has been designed to accomplish the following objectives as they relate to the Emergency School Aid Act/MAP:

A. To facilitate administrative direction and data flow within the Bureau of Equal Educational Opportunities.

B. To clarify functional responsibilities in order to eliminate duplication of effort.

C. To enable staff to work effectively with one another in the accomplishment of their assigned responsibilities.

D. To keep employees charged with administering the Emergency School Aid Act/MAP informed concerning the policies and procedures developed to implement the Act and to serve as a conduit of communication in this regard.

E. To facilitate the training and assimilation of new personnel in the Bureau of Equal Educational Opportunity (BEEO).

II. Responsibility for the Manual

A. The Director of the Division of Program Development, Bureau of Equal Educational Opportunity, is responsible for the comprehensiveness of this manual, the accuracy of its content, and for its publication, maintenance and distribution.

B. The Associate Commissioner of Education, Special Projects Branch Chief, and other key BEEO staff personnel are responsible for advising the Director of the Division of Program Development when operating conditions justify a revision in or an addition to the manual. Coordination, review and approval for incorporation of such revisions or additions in this Manual will be carried out by the Director of the Division of Program Development.

III Use and Maintenance of the Manual

A. The Comprehensive Management Manual for the Emergency School Aid Act, Metropolitan Area Projects, Title VII, P. L. 92-318 comprises four major divisions which are designated as follows:

Section 1 - Introduction
Section 2 - General Background Information
Section 3 - Legislative Authority and Regulation for the Emergency School Aid Act
Section 4 - Administrative Procedures

Each section has a Table of Contents listing all material included in that Section. Dividers separate the Sections.

B. This Manual is designed to provide for expansion and changes in present content. The page numbering system described below has been devised in such a manner as to facilitate modification of the manual. Each original page is identified by a three part number. the first number is the Section of the manual, the second number represents the major heading under the Section, and the third number is the sequential page number within the Section. (Example: The numerical designation 4-I-1 would be page 1 of Section 4 - Administrative Procedures, i. Technical Assistance Services for ESA Applicants.)

C. The content of the manual will be kept current by revision of existing material and/or additions. All such changes will be distributed to all staff for inclusion in their copies of the manual. Page numbers for changes will be such that they can be inserted where they apply. For instance, the page for the first change pertaining to page 4-III-1 would be numbered 4-III-1(1), the second change would be numbered 4-III-1-(2).

D. Each recipient of the manual will be responsible for keeping his/her copy current. The form Table of Changes Record immediately following the Master Table of Contents is to be used to record receipt of all changes. Receipt of each change must be noted in the appropriate space on the Table of Changes Record. It is very important that the manual be current at all times because it will serve as your basic reference for policy and procedures information, standards, and direction for implementing the Emergency School Aid Act/MAP.

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I. Technical Assistance Services for Metropolitan Area Projects (MAP) Applicants

A. Initial Pre-application Technical Assistance

1. Associate Commissioner ~~for~~ Bureau of Equal Educational Opportunity will be responsible for providing pre-application technical assistance for all potential MAP applicants. The primary purpose will be that of disseminating information concerning assistance available and methods for applying for grants under ESAA/MAP.

2. Chief State School Officers and concerned members of State educational agencies are to be invited to attend and encouraged to participate in the initial pre-application technical assistance sessions.

3. The agenda for all group sessions will include explicit dissemination of information concerning MAP regulations, guidelines for application, and application forms. OCR specialists should be present to explain the civil rights aspects of the regulations. Any other useful data which the SPB Chief deems relevant may be included on the agenda.

B. Individualized Pre-application Technical Assistance

1. Following the general technical assistance meetings and/or conferences outlined above, SPB Chief will be responsible for having staff available to render individualized technical assistance to applicants who may wish such help.

2. Where possible, State educational agency staff and university center personnel should be encouraged by the SPB Chief to assist program officers in rendering technical assistance to

clients. In this case, it is advisable for SPB Chief to develop training programs for support staff personnel from other agencies and institutions. The State educational agency must always be notified of and be invited to participate in all technical assistance visits to local education agencies.

3. Individualized pre-application technical assistance should provide clients with services such as those listed here:
   a. Assistance in completion of applications including advising on the development of a viable and comprehensive application.
   b. Advising on the development of broad-based community support.
   c. Helping to formulate programs under the authorized activities which relate to the three Metropolitan Area Project program areas.
   d. Recommendations for curricular and organizational changes, if requested.
   e. Consultation on educational implications of desegregation and isolation.
   f. Recommending resources capable of providing expertise in specific program areas.
   g. Encouragement of State educational agencies' leadership in assisting with application development and program planning for their clients.

h. Coordinating efforts of other Federal programs and assisting with applications for funds to advance quality education.

C. Technical Assistance for Applicants Recommended to Resubmit Applications

1. All applicants whose applications are recommended by the Associate Commissioner to be resubmitted must be offered technical assistance for the redesign of their proposals.

2. Such applicants will be notified by the Associate Commissioner by letter including specific reasons why their proposal has been recommended for resubmission.

   The SPB Chief will assign a program officer to assist with clients who are advised to resubmit their applications in making revisions. The program officer must give the applicant whatever help is requested.

3. Documented records must be made in detail by the program officer of all contacts between the SPB office and the applicant including any and all suggestions, recommendations, or comments made to the applicant.
   (Use OE Form 236, Memorandum of Conversation for Application Case File.)

II. The Application Processing Flow

A. General

1. All Metropolitan Area Projects (MAP) applications will be submitted to Washington BEEO/SPB and should be processed

in accordance with procedures set forth in this Section of the Manual.

B. SPB Office Functions

1. The Central Control Unit

a. The Central Control Unit established in the Washington Office shall be responsible for the receipt, control, tracking, and distribution of applications throughout the review and recommendation process.

b. The Central Control Unit shall be responsible for maintaining an accurate control record for each application received in and sent out from the SPB Office.

c. The official Application Case Files for each applicant will be located in the Central Control Unit.

d. Specific procedures to be implemented by the Central Control Unit in executing its responsibility for receipt, control, tracking, and distribution of applications are delineated in the following paragraphs.

2. Receipt and Distribution of Applications

a. Application Intake Procedures

(1) All applications for grants under P.L. 92-318, the Emergency School Aid Act/MAP will be submitted in ten (10) copies to the Washington Office.

(2) Upon receipt of an application, the Central Control Unit will record officially its submission by performing the following functions:

(a) Time-and-date-stamp each copy of application.

(b) Assign a Project Number sequentially to each application from authorized control numbers.

(c) Stamp each copy of application "ORIGINAL."

(d) Number each copy of application; the copy with original signatures should be numbered Copy #1.

(e) Enter on (OE Form 135), Master Control Log/MAP.

(f) Prepare Application Case File Jacket.

(g) Prepare OE Form 136, Application Check Sheet/MAP.

(h) Prepare and mail letter to applicant acknowledging receipt of the application. (See format for acknowledgment letter).

b. Initial Distribution and Processing Procedures

(1) Upon completion of functions described above, the Central Control Unit will carry out distribution of the application in the following sequence:

(a) The CCU will hand-carry Copy # 3 to the Contract Office immediately after completing the intake procedures. The program and contracting offices will jointly make a status report on realistic budget cost in the application, and complete OE Form 144, Administrative Review of Budget.

(b) Immediately after take-in procedures have been completed by the Central Control Unit, Copy #4 should be mailed to OCR in the appropriate region via Air Mail.

(c) The Central Control Unit will transmit Copy #5 to the SPB Chief immediately after completing the intake procedures. The SPB Chief will then transmit Copy #5 to the Project Officer he/she assigns to the proposal for initial review and comment.

The Central Control Unit will transmit Copy #2 with duplicate copies of (OE Form 235), SPB Transmittal Form for State Educational Agency Comment, attached, will be forwarded to the State educational agency for comment via air mail. A copy of this form is to be placed in the Application Case File at this time. Copies of the form should also be attached to application - copies 6, 7, 8, 9.

Ten (10) days are to be allowed for return of completed (OE Form 235) from the State Educational agency. The copy of the completed form is to be filed in the Application Case File.

In the event this form has not been returned to the Washington Office at the time the application is forwarded to the Associate Commissioner for BEEO, its absence should be noted in the appropriate space on (OE Form 238), ESA/SPB Application Transmittal Sheet.

(e) Copies # 6, 7, 8, and 9 - to the Rating Panel (to be distributed when non-Federal panel assembles for training briefing).

(f) Copy # 10 - to appropriate Regional Office.

(2) The assigned Program Officer will do the following:

(a) Program Officers should examine Copy #5 carefully for completeness and legibility and fill in the column headed "Missing" on the Application Check Sheet to note all items not contained in the application.

(b) Program Officers have responsibility for obtaining any application data noted as missing or illegible on the Application Check Sheet. They will contact the applicant immediately by documented telephone conversation (Use OE Form 236, Memorandum of Conversation for Application Case Files), to request submission of missing data or legible copies of forms. Program Officers will be responsible for follow-up with regard to completeness of application.

(c) Copy # 1 should be maintained in the Case File until completion of review process at which time a Program Officer will be responsible for the inclusion of all amendments to Copy # 1.

Copy #1 must not be marked up or altered in any way. All corrections or additions necessary must be in the form of amendments to Copy #1. All amendments to Copy #1 must be so marked (e.g., Amendment #1 to Copy #1, Amendment #2 to Copy #1, etc.)

3. Disposition of Applications Subsequent to Completion of the Review Process

a. Central Control Unit Preparation

(1) Upon Completion of the review process, all copies of applications will be returned (with the reviews and ratings attached) to the Central Control Unit.

(2) Central Control Unit will log in copies of applications on the Master Control Log as they are returned to the Unit. Each review or rating form will be stamped with date and time of receipt in the Central Control Unit.

(3) The Central Control Unit will prepare the Application Case File (containing Copy #1 of application with all required signatures) by placing in it all review and rating forms, and amendments. The Application Check Sheet, with all items marked completed in the column provided, shall be included in the Application Case File at this time. A copy of OE Form 238, ESA Application Transmittal Sheet will be attached to the cover of the Case File.

The Case File will be logged out to the SPB Chief for final preparation prior to transmittal to the Associate Commissioner for EEEO

(4) Part I of PGIS Media 36 will be prepared for all applications on the basis of the applicants' requested funding amount. The forms are to be held in the Central Control Unit until the OE-Washington Decision Memorandum is completed.

b. Preparation of Application Case File for Transmittal to the Associate Commissioner for BEEO

(1) The SPB Chief will have OE Form 243, Abstract of Application and the ESA Application Transmittal Sheet completed for each application; these forms will be attached to the Case file. The SPB Chief will sign the Application Transmittal Sheet.

(2) A separate ESA Application Rating Summary Chart (OE Form No. 139) should be prepared for each type of application. Each application is to be listed on the chart in descending order based on its composite score which will be derived from all of its ratings. All applications received must be included on this chart. Recommended funding levels shown on these charts should be rounded to the nearest dollar.

(3) The completed Application Case Files and the ESA Application Rating Summary Charts should be carried to the Associate Commissioner for BEEO for his review.

(4) Comments submitted by State educational agencies should be reviewed carefully by the SPB Chief. He/she should note any problems indicated in such comments and bring them to the Associate Commissioner's attention.

(5) The SPB Chief has sole responsibility for the completeness, accuracy, and legibility of the application, attachments, and amendments transmitted to the Associate Commissioner for his review and recommendation. Application Case Files must be completed by April 25, 1973 and in the Associate Commissioner's offices by c.o.b. April 25, 1973.

c. Transmittal of Applications from SPB Chief to the Associate Commissioner

(1) After receiving applications transmitted with support-data from the SPB Program Officer, SPB Chief shall prepare the Decision Memoranda which will reflect his/her decisions for action to be taken on each application submitted for his/her review.

(2) The Decision Memoranda shall include detailed reasons for decisions.

(3) A separate Decision Memorandum shall be prepared for each type of application, as listed below:

(a) Interdistrict Transfer Program

(b) SMSA Planning

(c) Education Parks

(4) An ESA Application Rating Summary Chart (OE Form 139) for each type of application, must be attached to each Decision Memorandum.

(5) The SPB Chief shall submit the following data to the Associate Commissioner.

(a) A Decision Memorandum for each of the three types of applications, with ESA Application Rating Summary Chart, attached.

(b) An Abstract of Application for each application listed on the charts.

(6) All data must be submitted to the Associate Commissioner in sufficient time to reach his office no later than ______April 25, 1973______.

d. Preparation and Content of the Application Case File

(1) General

Maintenance of a complete and accurate Case File in the Central Control Unit for each application is imperative. The Case File must be current at all times because it is the single, comprehensive record pertaining to a particular application. The Case File jacket shall be a six-part filing folder with a hard-board cover.

Each of the parts will contain specific data relevant to the application.

The Central Control Unit shall have final responsibility for maintenance of the Case File in a current and orderly condition.

(2) Contents of File

- (a) Part 1 - Application
  - (1) Copy #1 of the application as originally submitted by LEA
  - (2) Application Check Sheet
- (b) Part 2
  - (1) OCR compliance data
  - (2) Other related materials
- (c) Part 3 - Application Review
  - (1) Completed Statistical Data Rating Forms with signed worksheets
  - (2) Non-Federal Educational Quality Review Panel's Evaluation Forms, completed
  - (3) Contracting and Program Officer's Administrative Review of Budget Form, completed
  - (4) Pre-Grant Site Review Report, if any
  - (5) SEA Transmittal Form and Comments, if any
  - (6) OE-Washington Decision Memorandum
- (d) Part 4 - Communication and Correspondence
  - (1) Memoranda of all telephone conversations related to negotiating application modifications of requesting additional data.
  - (2) Copies of all outgoing and incoming correspondence concerning application negotiation.

(3) Notification of grant award.

(4) General correspondence related to the applicant/grantee.

(e) Part 5 - Reports (to be developed and submitted after grant has been awarded)

(1) Evidence of publication of applicant's proposal

(2) BEEO Monitoring/Review Reports

(3) Applicant's Final Report

(4) Commissioner's or Outside Agency Evaluative Report

(5) Other required Reports

(f) Part 6 - General

(1) Case File Check Sheet

(2) General background information and/or other miscellaneous papers

4. SPB Responsibility for Processing Applications Subsequent to Receipt of Decision Memorandum.

a. The SPB Chief will transmit the Associate Commissioner's decision with regard to the funding or nonfunding of an applicant to the Deputy Commissioner by Decision Memorandum.

b. The SPB Chief shall be responsible for final disposition of applications as indicated below.

(1) Applicants Approved for Funding

(a) Preparation of Part II of the PGIS form for each approved application

(b) Transmittal of the application with all attachments to the Contracting Officer for notification procedures.

C. Specific Procedures for Notification to Applicants

Applicant notification procedures prescribed herein are those set forth under OE Directive 2-35 (Revision) August 1, 1972, "Procedure for Notification of Discretionary Grants and Contracts Awards," from the Deputy Commissioner for Planning, Evaluation, and Management.

1. Responsibility for Notification

   The Contracting Office has sole responsibility for notification of application approvals.

2. Notification of Approved Applicants

   a. Upon signing the award document, the CO reproduces copies of the cover sheet in accordance with the distribution described below. The CO may not notify recipients of awards until at least 48 hours after the notification of such awards has been received by the Office of Congressional Liaison, OS. THE OFFICE OF CONGRESSIONAL LIAISON (OCL) WILL NOTIFY MEMBERS OF CONGRESS.

   b. The CO transmits one copy of the cover sheet to the Office of Congressional Liaison. NOTE: It is mandatory that upon completion of transmission the CO sends two copies of the cover sheet to the individual or organization providing public information services.

   c. Upon receipt of notification that an award has been made, the public information individual or organization will determine its news value if any, arrange for preparation of a press release, for coordination with proper program officers, and for actual release. In no case will the press release be issued prior to two days after the date on which the notification was received by the Office of Congressional Liaison.

d. At the end of the 48-hour waiting period, copies of the cover sheet will be distributed by the CO via normal distribution channels, as follows:

-- Immediate Office of the Commissioner	2 copies
-- Office of Legislation	20 copies
-- OE Regional Commissioners	2 copies
-- Deputy Commissioner for School Systems	2 copies
-- Assistant Commissioner for Regional Office Coordination	1 copy
-- Associate Commissioner for Federal-State Relations	2 copies
-- Chief State School Officer(s) as appropriate of the State(s) concerned	2 copies

NOTE: Notification letters to such applicants must not be form letters, but will be personalized responses giving clear and specific reasons for the action recommended. Each letter should include constructive advice to the applicant concerning his efforts to obtain a grant. Technical assistance must be offered to applicants who are advised to resubmit their applications.

III. Application Evaluation Process

A. Pre-grant Application Evaluation Procedures

1. General

a. All applications received from local educational agencies (LEA) for Emergency School Aid Act/MAP grants will be

b. The criteria to be used in reviewing applications for Emergency School Aid Act/MAP grants are delineated in Section 185.[illegible]1 of the Regulations. Essentially, these criteria focus on (1) the LEA's need for assistance, (2) the extent of net reduction in minority group isolation in a school district or an affected SMSA, and (3) the educational quality of the activities for which funds are being requested.

c. These criteria will be applied through careful review by SPB program and contracting officers, the use of non-Federal panels and Office for Civil Rights specialists. Recommendations for levels of funding will be made by the Chief, SPB to the Associate Commissioner. Final grant approval will rest with the Associate Commissioner.

d. Each application will be subject to five (5) separate reviews to be carried out in the Washington SPB Office. These reviews are designed to assign ratings in accordance with specific criteria.

e. The five (5) application reviews for which the Washington SPB Office will be responsible are outlined below:

    (1) The Statistical Data Review and Rating -- Rating of application with regard to the applicant's need for assistance and the extent and comprehensiveness of its efforts to reduce racial isolation. The evaluation will be computed in accordance with criteria outlined in the rating scales provided for this purpose.

(2) Pre-Grant Site Review -- All applications for grants in excess of $500,000 must have a pre-grant site review. Other applicants may be subject to pre-grant site reviews in those cases where the SPB Director deems immediate action necessary to obtain additional information needed to complete the review process.

(3) Educational Quality Review and Rating -- This review will be made by a panel of four (4) non-Federal persons whose primary concern will be assessing the quality of the educational program proposed in the application.

(4) Administrative Review of Budget -- A review to be made by the Contracting Officer(s) in conjunction with the Program Officer(s) in the Washington Office to determine that a need for assistance exists and to verify costs for various activities proposed in the application.

(5) The Office for Civil Rights Compliance Status Review and Report -- A review of the application by Regional Office for Civil Rights with regard to the compliance status of the applicant district.

f. All ratings will be summarized on OE Form No. 139, ESA Application Rating Summary Chart prepared by the SPB Chief.

2. Specific Review Procedures

a. The Statistical Data Review and Rating

(1) The Statistical Data Review and Rating will be performed in the Washington Control Unit. OE Form No. 140, ESA Statistical Data Rating Form, will be completed by a

program officer for all applicants. The form must be signed in the appropriate space by the SPB Chief.

(2) The criteria for computing the Statistical Data Rating for each of the three programs are set forth in the criteria. All rating scales are included under Appendix A.

b. Pre-Grant Site Reviews

(1) The SPB Chief is required to conduct pre-grant reviews of all grant applications for amounts in excess of $500,000.

(2) In those instances in which the Chief desires additional information concerning the application or the applicant, he/she may dispatch a team to conduct a pre-grant site review in order to obtain needed data. Reviews of this type will most likely be scheduled following the panel review. However, in certain instances, pre-grant site reviews occasioned by the need for additional information should be undertaken immediately.

c. Pre-Grant Site Review Teams

(1) Teams should comprise an adequate number of personnel from the SPB Office and other OE Offices, as required. It is not necessary for the Pre-Grant Site Review to be a joint OCR/ESA visit; however, all Pre-Grant Site Reviews should be coordinated with OCR. An invitation should be extended to the appropriate State educational

agency to accompany the team during the review. The SPB Chief will select an SPB Program Officer who is to serve as Team Leader. The SPB Chief, with assistance from the Team Leader, will organize and develop a Pre-Grant Site Review Team utilizing personnel from the SPB, OCR (if necessary), and, where appropriate, other OE Offices.

(2) Once the team has been organized, the SPB Chief will notify the applicant district as to the dates of the review and schedule interviews with appropriate applicant personnel.

d. Instructions for Pre-Grant Review Teams

(1) The SPB Chief will initiate the pre-grant site review after the panel review.

(2) The Team Leader will be responsible for conducting the review and the preparation and completion of all reports pertinent to the review.

(3) All Pre-Grant Site Review Teams will complete OE/MAP Pre-Grant Site Review Report which will include information concerning the applicant's management capabilities, investigation of possible duplication of program services, validation of statistical data, needs assessment, and other information that may be requested by the SPB Chief to complete evaluation of application.

(4) The Team Leader is responsible for conducting an information/training session for all team members

prior to site reviews. These sessions should cover the following areas:

- (1) All aspects of the ESA/SPB application
- (2) How to use the review instrument
- (3) Where the necessary information may be obtained
- (4) Assigning team members to meet with specific applicant personnel
- (5) A schedule of team meetings during the review

(5) Should any irregularities pertaining to the application or applicant be discovered as a result of the review, they are to be documented on the Pre-Grant Site Review Report and reported to the SPB Chief. The SPB Chief will apprise the Associate Commissioner of any such irregularities. With regard to such applications, the SPB Director should determine that they be placed in either Legal Hold or Program Hold pending resolution of the problem(s).

e. Educational Quality Review Panel Rating

(1) General

(a) The quality of each application will be reviewed and evaluated in the Washington Office by a four-member non-Federal panel. Selection of panel members will be based on the individual's experience in both areas of educational quality and school desegregation. It is required that each non-Federal panel be bi-ethnic or multi-ethnic and representative of diverse educational skills and interests. This is deliberate, in order to bring to bear the knowledge and experience of all the contributors to our society, which is vital to the realization of our objective of providing quality education for all groups.

(b) A single panel shall review for educational quality all parts of an individual local educational agency application.

The same panels should be used to evaluate the several types of applications.

(c) The SPB Chief will convene the Educational Quality Review Panel session(s). He/she should introduce the assigned program officer to the panel and explain his/her relationship to the group. The program officer(s) will meet with the panel as a resource person only to provide information but will refrain from making subjective evaluative comments concerning the quality of the application(s) under review. Program Officer(s) will not participate in the review or rating of an application.

Those present in the panel reviewing room and voting will include:

1 classroom teacher
building principal, assistant superintendent
or superintendent of schools

1 representative of the community outside of the school

1 representative selected from any of the following categories:

SEA staff member, curriculum consultant, director of instruction, a college or university professor, or a student (if the application being reviewed is an interdistrict transfer program, the panel must have a student as one of its four panelists)

(d) Conflict of Interest -- Although it is unlikely, there is the possibility that a member of the panel may find before him/her the application from his/her own district or organization, from a district or organization in which he/she was formerly employed, or in which a member of his/her immediate family is or was employed, or a district or organization in which he/she or a member or members of his/her immediate family are to be employed. Should this occur, such members shall immediately disqualify themselves from consideration of the application, informing the assigned program officer of their decision, who will in turn notify the SPB Chief. Meanwhile, the remaining members of the panel will proceed with their rating, pending selection of an impartial panelist to rate such application.

The following procedure is to be used in the event that a panel member is not qualified to review a particular application. The SPB Chief will utilize a member from another panel to fill in for that specific application. If no other panel is meeting the SPB Chief shall appoint a well-qualified member of the Office of Education from a staff other than the Equal Educational Opportunity Staff. Such a staff member should, however, receive appropriate training for reviewing applications before he/she is assigned to a panel. In cases where substitution of a panel member is warranted, the composition of the panel must follow the guidelines set forth above. State Education agency staff members may not review applications from their respective States. SEA staff may be present when panels review applications from their State, but are restricted to providing upon request of the panel objective data regarding the application.

(2) Procedures for the Selection and Training of Non-Federal Panels

(a) Non-Federal Panel Selection

(1) The Associate Commissioner is charged with the responsibility and authority for selecting panel members in accordance with guidelines set forth by the BEEO.

(2) Each panel shall consist of four members and should include a representative of the community outside of the school; a classroom teacher; a building principal, assistant superintendent or superintendent of schools; and one representative who may be either a curriculum consultant, director of instruction, college or university professor, SEA staff member, or a student. (The SEA staff member may not review applications for his/her State.) If the proposal being reviewed requests funds for an interdistrict transfer program, then the panel reviewing such proposal must have at least one student panelist.

(3) The panels should represent a balance of men and women who reflect the clients to be served and who have experience and sensitivity relating to the types of projects being reviewed. All panels should be of bi-ethnic or multi-ethnic composition regardless of project assignment. (For example, a panel might be composed of a white classroom teacher, a black building principal or superintendent of schools, a Spanish-surnamed university professor and a nonwhite community representative.)

(4) The same panel should be used to rate interdistrict transfer program, SMSA planning and educational park application.

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(3) The function which the panel will perform is one of several steps in the management process, many of which have already been executed, including determination of the applicant's eligibility for consideration under the Act. It is the panel's function to review the need for assistance as a check on the work of the program and contracting officers. The panel may make additional recommendations only for reduction in those **expenditures which it deems** inconsistent with the purpose of the Act.

(4) It is essential that members of the panel be thoroughly familiar with the general geographical area of the applying district. They should familiarize themselves with the sections that are related to the application under review. It is for the panel to determine if the educational quality of the program or activity components are supportive of the need as outlined in the application, as well as whether it has the necessary ingredients and design to accomplish its stated objectives.

(5) The panel will make a threshold evaluation on the quality of the application. If the panel feels the application has insufficient merit to afford promise of achieving the purposes of

the Act, they will fill out and submit OE Form 141, Educational Quality Panel Recommendation for Application Resubmission to the program officer.

(6) If the panel believes that the application has merit, it will start the review process and its members will independently rate the quality of the application. The categories to be used in judging the quality of applications for interdistrict transfer program, SMSA planning and education parks are specified in the Quality Criteria for each program.

Panel members will rate each proposal separately, according to the points allotted for each category. The rating is to be the individual panel member's and his alone.

The specific criteria to be used in determining the quality of applications for either interdistrict transfer program, SMSA planning or education parks are delineated in the Quality Criteria on the following pages.

(7) Should any panel member propose during initial discussion of the application that one or more major activities be excluded, the decision to drop the activity will be based on concurrence of a majority of the panel on the recommended elimination. In cases where the panel recommends exclusion of certain components of the project, they should prepare OE Form 142, Recommendation for Deletion of Project Component(s). The panel will refer the matter to the program officer who will contact applicants immediately and notify them of panels' decision. Applicants should be offered a choice of either agreeing to the modifications and having project rating continue; or to receiving additional technical assistance with the understanding that the project will be rated after redesign of indicated component(s). Choosing the latter course of action may necessitate the application's being rated in a resubmit batch, thus, the applicant must be advised of this possibility, and that available funds may be expended prior to resubmission.

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(8) Panel members are instructed to complete an OE Form 143, Educational Quality Rating Form for each specific category under review. (For example, when rating the Activities category of a SMSA planning grant application the Educational Quality Rating Form (Category-Activities) must be completed. Since point assignments differ among the several categories, an applicant's final score may not be accurate if the wrong form were to be used. Always check the appropriate box to indicate the type application being rated.

(9) Panel members must be sure that written comments on the rating forms are clear and precise, as they will be a factor in ascertaining the strengths and weaknesses of the program.

(10) Upon completion of an individual Educational Quality Rating Form for each specific category, panel members must be sure to complete and sign the Summary (page 1 of the Educational Quality Rating Form) included in their packets.

(11) Panel members will hand in all review forms to the program officer assigned to their review session.

(b) The Role of the Program Officer Assigned to A Panel

(1) The program officer assigned to the panel will be a member of the SPB chief's staff who will serve as a resource person only to the panel during the evaluation process. Because of his/her experience in working with a number of districts by providing technical assistance and guidance on a continuing basis, the program officer is knowledgeable about the district and its characteristics as a community.

(2) As the panel proceeds with its evaluation and assessment of the application, the program officer will be the channel of communication between the panel and the applicant on the one hand, and between the panel, the SPB chief, and the contracting officer, on the other.

(3) He/She is not to make any statements or comments to the panel members that could possibly influence their decision in rating the application. Further, in no circumstances, shall the program officer participate in the assignment of points for any of the categories under consideration during the evaluation. The program officer is to maintain a completely neutral position throughout the evaluation process.

(An example of the function of a program officer in servicing the member of the panel, would be that of contacting the applicant relative to a deletion or change in the educational activity proposed in the application. The program officer would contact the applicant by telephone, apprise him/her of the fact that certain changes have been recommended in his/her application which is being reviewed. He/She would ascertain whether the applicant concurs with the changes, or whether he/she prefers that the application be returned to him/her for revision (in which case completion of the review would be delayed); or prefers to withdraw the application.

This telephone contact between the program officer and the applicant will be documented on OE Form 236, Memorandum of Conversation for Case Files and placed in the applicant's case file. At no time during the program officer's contact with the applicant will he/she reveal the names of any members of the review panel.

(4) The program officer assigned to the review panel will collect the completed Educational Quality Rating Forms from each panelist. Using OE Form 241, Panel Review Summary Sheet, the program officer will then take each of the four panelist's total scores as indicated on the Educational Quality Rating Form Summary and mark them in the column designated Total Scores opposite the panel member's name. These four scores will then be totaled. To obtain the overall Educational Quality Rating Score for an application the program officer will divide the total of the four scores by four(4) which is [illegible] members.

f. Administrative Review of the Budget

(1) Copy #4 of the application will be transmitted to the Contracting Officer for verification of activities and logistics costs outlined in application.

(2) The ESA Program Officer and the Contracting Officer will jointly review the application to determine that a need for assistance exists. The application must show that funds requested are required to resolve problems incident to the reduction of racial isolation.

(3) Contracting Officers and Program Officers will complete OE Form No. 144, Administrative Review of Budget, indicating adjustments and approval of costs, assuming activities as outlined in the application are to be funded.

(4) School districts must be advised by program officers of budget revisions made prior to submission of application to Associate Commissioner.

(5) In cases where the Administrative Review of the Budget reveals that the funds requested are not related to the objective of the legislation, the Program Officer must notify the SPB chief or this discrepancy. The SPB Chief will advise the applicant immediately of the problem(s) inherent in the application. The

applicant should be given the opportunity to resubmit another proposal or to revise the existing one and offered technical assistance with its development. If such action is necessary, a record of the contact with the applicant must be made on OE Form 236, Memorandum of Conversation for Application Case Files.

g. Office for Civil Rights Compliance Status Review

(1) Approximately twenty-five (25) days from OCR's receipt of Copy #3 of the application will be allowed for completion of the Compliance Status Review.

(2) A report on the Compliance Status of the applicant is to be prepared in the form of a memorandum from the Regional Director of the Office for Civil Rights to the Commissioner.

(3) The SPB Chief will note all applications that are transmitted to the Associate Commissioner without the Compliance Status report attached.

(4) It is imperative that the Associate Commissioner receive Compliance Status reports for all applications recommended by the SPB chief for approval. Applications can not be considered for funding without the Compliance Status reports.

B. Modifications Subsequent to Educational Quality Rating Panel and Administrative Review of Budget Decisions.

1. Program Officer assigned as resource person will be responsible for notifying and assisting the applicant when program modification is necessary.

2. Program Officer responsible for effecting program changes will prepare a detailed memorandum or memoranda for the Case File covering all of his/her activities related to discussions with applicant.

3. When modification of the application is completed, the Program Officer assigned as resource person will be responsible for preparation of the application in the final form.

    (a) The original signed copy #1 of the application should not be altered, erased or otherwise obliterated.

    (b) All modifications made as a result of negotiations with the applicant must be attached to Copy #1 in the form of amendments.

    (c) All amendments must be legible and clear so as to be read easily.

MANAGEMENT MANUAL FOR THE EMERGENCY SCHOOL AID ACT

SPECIAL READING PROJECTS

A PROGRAM ADMINISTERED
under TITLE VII of the
EDUCATION AMENDMENTS of 1972
(PUBLIC LAW 92-318)

1973

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
RIGHT TO READ

Preface

This manual is intended for use by Right to Read supervisors and staff personnel who are responsible for implementation of the ESAA Special Reading Projects. Its usefulness and timeliness are the responsibility of the Director, Right to Read.

I. Purpose of the Manual

The Management Manual for the ESAA Specail Reading Projects under Title VII, P.L. 92-318 is established as the permanent, authoritative reference for policy and procedures information, standards, and direction to all supervisors and staff personnel charged with implementing the projects. It is expected that this task will be facilitated by the development and use of carefully delineated management procedures. This Manual has been designed to accomplish the following objectives as they relate to the Special Reading Projects.

A. To facilitate administrative direction and data flow within the Right to Read Office.

B. To clarify functional responsibilities in order to eliminate duplication of effort.

C. To enable staff to work effectively with one another in the accomplishment of their assigned responsibilities.

D. To keep employees charged with administering the Special Reading Projects informed concerning the policies and procedures developed to pertinent portions of the Act and to serve as a conduit of communication in this regard.

E. To facilitate the training and assimilation of new personnel in the Right to Read Program.

II. Responsibility for the Manual

A. The Director, Right to Read, is responsible for the comprehensiveness of this manual, the accuracy of its content, and for its publication, maintenance and distribution.

B. Key Right to Read staff personnel are responsible for advising the Director as to when operating conditions justify a revision in or an addition to the manual. Coordination, review and approval for incorporation of such revisions or additions in this Manual will be carried out by the Special Assistant to the Director, Right to Read.

III. Maintenance of the Manual

A. The content of the manual will be kept current by revision of existing material and/or additions. All such changes will be distributed to all staff for inclusion in their copies of the manual.

Administrative Procedures

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I. PROCEDURE FOR PROCESSING REQUESTS FOR APPLICATION FROM LEA's

A. Right to Read will mail out a fact sheet regarding ESAA Special Reading Projects to each school district in the United States and its territories and possessions.

B. The fact sheet will indicate the following:

  1. Purposes of the program
  2. Facilitating legislation
  3. Eligibility
  4. Responsibilities of LEA's and school sites
  5. Materials needed for application
  6. Application deadline
  7. Notification of Grant Awards deadline

C. Interested LEA's will request application materials.

D. Right to Read will hand carry to General Services Administration each day the names and addresses of LEA's requesting application materials.

E. The General Services Administration's contractor will mail application materials to LEA's within twenty-four hours after receiving the names and addresses.

F. Application materials consist of:

  1. Application forms
  2. Instructions for completing Application and Proposal for Special Reading Projects
  3. Criteria for Selection of Special Reading Projects
  4. Draft Regulations, Subpart J, Special Projects.

II. The Application Processing Flow

A. General

1. All ESAA Special Reading Project applications will be submitted in seven (7) copies to the Right to Read Office in Washington and shall be processed in accordance with procedures set forth in this section of the Manual.
2. All applications for ESAA Special Reading Projects must be postmarked not later than March 30, 1973.

B. The Right to Read Functions

1. The Right to Read Program will receive applications for ESAA Special Reading Projects.
2. The Right to Read Program Officers will handcarry any applications received to the Right to Read Central Control Unit.

C. The Right to Read Central Control Unit

1. The Right to Read Central Control Unit will be established which will be responsible for control, tracking, and distribution of Special Reading Projects applications throughout the review process. This unit will be located in Room 2132, FOB-6.
2. The Right to Read Central Control Unit will be responsible for maintaining an accurate control record for each application received in and sent out from the Control Unit.

3. The official Application Case Files for each applicant will be located in the Rightto Read Central Control Unit. Right to Read personnel

will be responsible for maintenance of Special Reading Project files.

D. Receipt and Distribution of Applications through the Right to Read Central Control Unit

1. Application intake procedures

   a. All applications for grants under ESAA Special Reading Projects will be received in seven (7) copies in the Right to Read Central Control Unit.

   b. Upon receipt of an application, staff assigned to the Right to Read Central Control Unit will record officially its submission by performing the following functions.

      (1) Time-and-date-stamp each copy of application.

      (2) Assign a Project Number sequentially to each application from authorized control numbers. Use the Regional code indicating the region from which application is submitted. (See Appendix C for detailed information concerning project numbers.)

      (3) Stamp each copy of application "ORIGINAL."

      (4) Number each copy of application; the copy with original signatures should be numbered Copy #1.

      (5) Enter on OE Form 135, Master Control Log.

      (6) Prepare Application Case File Jacket.

      (7) Prepare OE Form 136, Application Check Sheet.

      (8) Prepare and mail letter to applicant acknowledging receipt of the application. This letter should be prepared for signature of the Right to Read Director.

(See format for acknowledgement letter in Appendix B.)

2. Initial Distribution and Processing Procedures

   a. Upon completion of functions described above, staff in the Right to Read Central Control Unit will carry out distribution of the application in the following sequence:

      (1) Right to Read staff will submit OE Form 264 to BEEO/CCU to obtain data needed to complete OE Form 138, OCR Verification of Applicant's Plan Status, and Compliance Status data immediately after completing the intake procedures.

      (2) In the event that information regarding the applicant's desegregation plan and/or compliance status is not available in the Central Control Unit, the Right to Read staff will send the application, together with OE Form 138 (OCR Verification of Applicant's Plan Status) by the most expenditious means available to the appropriate Regional Office for Civil Rights. The completed OCR Verification of Applicant's Plan Status must be returned to the Right to Read Central Control Unit within ten working days from the date it was dispatched to the Regional OCR.

      (3) After determination of the applicant's plan status through BEEO records or return of the OCR Verification of Applicant's Plan Status from OCR indicating that the school district is qualified to apply for assistance, Right to Read staff will distribute the remaining copies immediately, as indicated below:

(4) Copy #2 - with duplicate copies of OE Form 235, Transmittal Form for State Educational Agency Comment, attached, will be forwarded to the appropriate State educational agency for comment. A copy of this form is to be placed in the Application Case File at this time. Ten (10) days are to be allowed for return of completed OE Form 235 from the State educational agency. The copy of the form returned from the State educational agency for each application is to be filed in the Application Case File.

(5) In the event this form has not been returned to the Right to Read Central Control Unit at the time the application is forwarded to the Right to Read Director by the Right to Read Program Officer, its absence should be noted in the appropriate space on OE Form 238, ESA Special Reading Projects Application Transmittal Sheet.

(6) Copy #4 will be retained in the Right to Read Central Control Unit. Upon completion of the review process the Right to Read program officer will handcarry Copy #4 to the Contracting Officer for the Administrative Review of the Budget.

(7) Copies 5, 6, 7 - to the Educational Quality Rating Panel (at such time as the panel is convened at the U.S. Office of Education).

(8) Upon return of the OCR Verification of Applicant's Plan Status form from OCR indicating that the district's plan is acceptable for consideration under the Act or such

determination is made through use of BEEO records, the Special Reading Projects program manager will distribute Copy #1 to the Program Officer assigned to or responsible for the area or State.

(a) Right to Read Program Officers should examine Copy #1 carefully for completeness and legibility and complete Items (Nonprofit Group Application, Items) of the Application Check Sheet.

(b) Right to Read Program Officers have responsibility for obtaining any application data noted as missing or illegible on the Application Check Sheet; and will contact the applicant immediately by documented telephone conversation (use OE Form 236, Memorandum of Conversation for Application Case Files), to request submission of missing data or legible copies of forms. Right to Read Program Officers will be responsible for follow-up with regard to completeness of application.

b. OCR Determination of Improper Plan Status of Applicant

(1) If the OCR determination that is the applicant's plan does not fall under any of the criteria as designated in the legislation, the applicant must be notified officially in writing. Such notification must be made within five (5) days after the OCR determination that the district is not qualified for consideration under the Act.

(2) The letter that is to be used for notifying such applicants should be prepared in OCR for the Right to Read Director's signature.

3. Disposition of Applications Subsequent to Completion of the Review Process

a. Central Control Unit Preparation

(1) Upon completion of the review process, all copies of applications will be returned (with the reviews and ratings attached) to the Right to Read Central Control Unit with the exception of the OCR Copy #3 which if forwarded to OCR, should be retained there for reference file copy.

(2) Copies of applications will be logged in on the Master Control Log as they are returned to the Unit. Each review or rating form will be stamped with date and time of receipt in the Unit.

(3) Staff in the Right to Read Central Control Unit will prepare the Application Case File (containing Copy #1 of application with all required signatures) by placing in it all review and rating forms, and amendments to the original application. The Application Check Sheet, with all items completed shall be included in the Application Case File at this time.

(4) A copy of OE Form 238, ESA Special Reading Projects Application Transmittal Sheet will be attached to the cover of the Case File. The Case File will be delivered from the Central Control Unit to the Right to Read Program Director for final review and approval.

(5) Part I of PGIS Media 36 will be prepared for all applications recommended for funding on the basis of the applicants' requested funding amount. The forms are to be held in the Central Control Unit until the Decision Memorandum is returned.

b. Preparation of Application Case File for Transmittal to the Right to Read Director

(1) The program officer will complete ESA Special Reading Projects Application Transmittal Sheet for each application; these forms will be attached to the Case File. The program officer will sign the Application Transmittal Sheet.

(2) An ESA Application Rating Summary Chart (OE Form No. 139) should be prepared. All applications received are to be listed on the chart. Each application is to be listed on the chart in descending order based on its composite score which will be derived from all of its ratings. Every application received including those whose plan is judged not qualified by OCR as well as those recommended for rejection, legal hold, or fiscal hold, must be included on this chart. Funding levels shown on these charts should be rounded to the nearest dollar.

(3) The completed ESA Special Reading Projects Application Rating Summary Chart should be submitted to the Right

to Read Director for review and final approval.

(4) Any comments submitted by State educational agencies should be reviewed carefully by the Right to Read program officer; he/she should note any problems indicated in such comments and bring them to the Right to Read Director's attention.

(5) The program officer has sole responsibility for the completeness, accuracy, and legibility of the application, attachments, and amendments transmitted to the Right to Read Director for review and approval.

c. Preparation of the Decision Memorandum and ESA Special Reading Projects Application Summary Chart

(1) After reviewing the ESA Special Reading Projects Rating Summary Chart the Right to Read Director shall prepare the Decision Memorandum which will reflect the Director's final decision on each application submitted. See format for the Decision Memorandum under Appendix B.

(2) The Decision Memorandum shall have the Special Reading Projects Application Summary Chart (OE Form 253-1) attached which will include detailed reasons for recommendations of rejection, legal hold, or fiscal hold.

(3) The Decision Memorandum must be transmitted for his concurrence no later than May 23, 1973 to the Associate Commissioner for EEO.

4. Processing Special Reading Projects Applications Subsequent to completion of the Decision Memoranium.

   a. Upon receipt of the Associate Commissioner's concurrence with the Right to Read Director's decisions regarding the funding or non-funding of applicants procedures for notifying all applications will be initiated.

   b. Applicants Approved for Funding

      (1) Preparation of Part II of the PGIS form for each approved application

      (2) Transmittal of the application with all attachments to the Contracting Officer for notification procedures.

   c. Applicants Recommended for Rejection, Fiscal Hold or Legal Hold

      (1) Letters to applicants who have been Rejected or have been placed in Fiscal Hold will be prepared for the Program Director's signature in accordance with procedures outlined in paragraph C(3) below. (See format for letters under Appendix D.)

      (2) Letters to applicants in Legal Hold will be prepared by the Office for Civil Rights for the Program Director's signature.

   d. Specific Procedures for Notification to Applicants

   Applicant notification procedures prescribed herein are those set forth under OE Directive 2-35 (Revision), February 9, 1973, "Procedure for Notification of Discretionary Grants and Contracts Awards," from the Acting Assistant Commissioner for Management Planning and Evaluation.

(1) Responsibility for Notification

(a) The Contracting Officer is responsible for notification of application approvals.

(2) Notification to Approved Applicants

(a) Upon signing the award document, the Contracting Officer reproduces copies of the cover sheet in accordance with the distribution described below. Office of Congressional Liaison copies and copies for the Office of Public Affairs are to be delivered by special messenger rather than through regular mail channels. Note: When 20 or more grant awards are released at one time, notification to the OCL may be accomplished by use of a printed summary must include the items of information required by HEW Manual 19-30, Procedure for Notification of Grant Awards.

(b) The Contracting Officer may not notify recipients of awards until at least 48 hours after the notification of such awards has been received by the Office of Congressional Liaison, OS. The Office of Congressional Liaison will notify Members of Congress. Messenger delivered copies of the cover sheet are as follows:

-- Office of Public Affairs, OE 4 copies

-- Office of Congressional Liaison, OS (copy requirements vary by program. Contracting Officers will discuss specific requirements with OCL in each case. Copies will be delivered to OCL in numbers agreed upon).

(c) Upon receipt of notification that an award has been made, the Office of Public Affairs will determine its new value if any, arrange for preparation of a press release, for coordination with proper program officers, and for actual release, either by the OE or the DHEW. In no case will the press release be issued prior to two days after the date on which the notification was received by the Office of Congressional Liaison.

(d) At the end of the 48 hour waiting period, copies of the cover sheet are distributed by the Contracting Officer via normal mail distribution channels, as follows:

-- Office of Legislation	20 copies
-- Immediate Office of the Commissioner	2 copies
-- Deputy Commissioner for School Systems	2 copies
-- Bureau of Equal Educational Opportunity	2 copies
-- Chief State School Officers (Library Agency Officers as appropriate) of the State(s) concerned	2 copies
-- Assistant Commissioner for Regional Office Coordination	1 copy
-- OE Regional Commissioners	2 copies
-- Associate Commissioner for Federal-State Relations	2 copies

(3) Notification to Applicants Recommended for Rejection, Legal Hold, and Fiscal Hold

(a) The Regional Commissioner will notify in writing all applicants whose applications are recommended for Rejection, Legal Hold, or Fiscal Hold. A copy of the notification letter must be sent to the appropriate Chief State School Officer.

(b) Notification letters to such applicants must not be form letters, but will be personalized responses giving clear and specific reasons for the action recommended. Each letter should include constructive advice to the applicant concerning his efforts to obtain a grant.

5. Preparation and Content of the Application Case File

a General

(1) Maintenance of a complete and accurate Case File for each Special Reading Project Application in the Right to Read Central Control Unit is imperative. The Case File must be current at all times because it is the single, comprehensive record pertaining to a particular application. The Case File jacket shall be a six-part

filing folder with a hard-board cover. Each of the parts will contain specific data relevant to the application.

(2) Right to Read personnel assigned to the BEEO Central Control Unit shall have final responsibility for maintenance of the Case File in a current and orderly condition.

(3) The Application Case File Check Sheet (OE Form 149), is to be completed by the Right to Read Program Officer. It should be kept in Part 6 or the Case File.

(b) Contents of File

(1) Part 1 - Application

(i) Copy #1 of the application as originally submitted by LEA

(ii) OCR Verification of Applicant's Plan Status Form (OE Form 138)

(iii) Application Check Sheet (OE Form 136)

(2) Part 2 - Compliance Data

(i) Desegregation Plan

(ii) Court Order, or order of Agency or official of competent jurisdication, or copy of school board resolution, or evidence of final official action of approval and agreement to implement a plan contingent upon award of assistance

(iii) OCR and/or Department of Justice Compliance Review Report(s)

(iv) Other related materials (compliants, etc.)

(v) Items i-iv, above, need not be included in Special Reading Projects Case File, provided the relevant materials are part of the applicant's Case File in connection with application for other ESAA funds.

(vi) The Right to Read Program Officer will be responsible for ascertaining whether the applicant has in fact submitted the relevant materials listed under Compliance Data.

(3) Part C - Application Review

(i) Completed Statistical Data Rating Forms (OE Form 246)

(ii) Non-Federal Educational Quality Review Panel's Evaluation Forms, completed
OE Form 143-1, in 8 pages

(iii) Contracting and Program Officer's Administrative Review of Budget Form, completed (OE Form 240). The budget review will be conducted only if the applicant will be funded.

(iv) SEA Transmittal Form and Comments, if any (OE Form 235)

(4) Part 4 - Communication and Correspondence

- (i) Memoranda of all telephone conversations related to negotiating application modifications or requesting additional data. (OE Form 236)
- (ii) Copies of all outgoing and incoming correspondence concerning application negotiation
- (iii) Notification of grant award
- (iv) General correspondence related to the applicant/grantee

(5) Part 5 - Reports (to be developed and submitted after grant has been awarded)

- (i) Evidence of publication of applicant's proposal
- (ii) OCR Statistical Reports
- (iii) Right to Read Monitoring/Review Reports
- (iv) Applicant's Final Report
- (v) Commissioner's or Outside Agency Evaluative Report
- (vi) Other required Report

(6) Part 6 - General

- (i) Case File Check Sheet
- (ii) General background information and/or other miscellaneous papers

III. Application Evaluation Process

A. General

1. All applications received from local educational agencies (LEA) for ESAA Special Reading Projects grants will be reviewed in the Office of Education.
2. The criteria to be used in reviewing applications for Special Reading Projects grants are delineated in Section 710(c) of the Act. Essentially, these criteria focus on (1) the LEA's need for assistance, (2) the extent and comprehensiveness of efforts to reduce racial isolation in the school district, and (3) the educational quality of the activities for which funds are being requested.
3. These criteria will be applied through careful review by the Office of Education, the use of non-Federal panels and Office for Civil Rights specialists.
4. All applications will be subject to three (3) separate reviews to be carried out in the Office of Education. Two of these reviews are designed to assign ratings in accordance with specific criteria. The other is for the purpose of determining the applicant's civil rights compliance status.
5. The three (3) application reviews which will be conducted within the Office of Education are outlined below:
    a. The Statistical Data Review and Rating --

    Rating of application with regard to the school district's need for assistance and the extent and comprehensiveness of its efforts to reduce racial isolation. The evaluation will be computed in accordance with criteria outlined in rating scales provided for this purpose.

b. Educational Quality Review and Rating -- This review will be made by a panel of three (3) non-Federal persons whose primary concern will be assessing the quality of the educational program proposed in the application.

c. The Office for Civil Rights Compliance Status Review and Report -- A review of the application by Office of Civil Rights with regard to the compliance status of the applicant district.

6. Administrative Review of Budget -- For those applicants recommended for funding an additional review will be made by the Contracting Officer in conjunction with the Program Officer to determine that a need for assistance exists and to verify costs for various activities proposed in the application.

7. All ratings will be summarized on OE Form No. 139, ESA Special Reading Projects Application Rating Summary Chart, prepared by the appropriate Right to Read program officer.

B. Specific Review Procedures

1. The Statistical Data Review and Rating

a. The Statistical Data Review and Rating will be performed in the Right to Read Central Control Unit. OE Form No. 140, ESA Statistical Data Rating Form, will be completed for all applicants by a program officer.

b. The criteria for computing the Statistical Data Rating are set forth in the rating scale which is included under Appendix A.

2. Educational Quality Review Panel Rating

a. General

(1) Each application will be reviewed and evaluated at the Office of Education by a three-member non-Federal panel. It is required that each panel contain minority and female representation. It is also required that each panel be representative of diverse educational skills and interests.

(2) Each panel reviewing and rating the applications will be drawn as broadly as possible from the following categories:

(a) Reading specialists
(b) Classroom teachers
(c) School principals
(d) Central administration personnel (assistant superintendent, superintendent, SEA staff member, curriculum consultant, director of instruction, etc.)
(e) College or University professors
(f) Community representatives
(g) Educational specialists from the private sector
(h) Secondary school students

b. Conflict of Interest -- Although it is unlikely, there is the possibility that a member of the panel may find before him/her the application from his/her own district or organization, from a district or organization in which he/she was formerly employed, or in which a member of his/her immediate family is or was employed, or a district or organization in which he/she or a member or members of his/her immediate family are to be employed.

Should this occur, such members shall immediately disqualify themselves from consideration of the application, informing the assigned program officer of their decision who will in turn notify the Director. Meanwhile, the remaining members of the panel will proceed with their rating, pending selection of an impartial panelist to rate such application.

The following procedure is to be used in the event that a panel member is not qualified to review a particular application. The Director will utilize a member from another panel to fill in for that specific application.

3. Procedures for the Selection and Training of Non-Federal Panels
    a. Non-Federal Panel Selection:
        (i) The Right to Read Director will be responsible for nominating persons to serve on the non-Federal review panels.
        (ii) Those persons nominated by the Right to Read Director will be assigned random numbers and selected randomly from a matrix of random numbers.
    b. Training of non-Federal Panels should focus on the following objectives:
        (i) The application of quality criteria to the proposal.

(ii) Application of the rating scales to the various aspects of the proposal.

(iii) Development of a rationale for assignment of points.

4. Instructions for Educational Quality Review Panels

a. Non-Federal Panel Activities

The ESA Special Reading Projects program manager will convene the Educational Quality Review Panel session(s). He/She should introduce the assigned program officer to the panel and explain his/her relationship to the group. The program officer(s) responsible for or familiar with the district(s) will meet with the panel as a resource person only to provide information but will refrain from making subjective evaluative comments concerning the quality of the application(s) under review. Program Officer(s) will not participate in the review or rating of an application.

1. The non-Federal panel will rate Special Reading Project applications as to the quality and comprehensiveness of the educational activities. This will be done on the basis of a carefully designed rating scale.
2. The panel will make a threshold evaluation based on the quality of the application. If the majority of the panel feels that the application has insufficient merit to afford promise of achieving the purposes of the Act, they will fill out and submit OE Form 141-1, Educational Quality Panel Recommendation for Application Rejection to the program officer. The applicant will be

notified of such action by the notification letter to be sent at the time funding decisions are announced. This letter will include specific reasons for panel's decision.

3. If the panel believes the application has merit, it will be started in the review process and its members will independently rate the quality of the application. The categories to be used in judging the quality of applications for ESAA Special Reading Projects are listed below:

   - Needs Assessment
   - Objectives
   - Staff Development
   - Curriculum Development
   - Parent and Community Development
   - Resource Management Evaluation

4. Panel members will rate each area above separately, according to the points allotted for each. The rating is to be done by each panel member independently, without consultation with other panel members.

5. The specific criteria to be used in determining the quality of applications for ESAA Special Reading Projects are delineated in the Quality Criteria for ESAA Special Reading Projects on the following pages.

These pages were
~~THIS PAGE WAS~~ MISSING FROM THE DOCUMENT THAT WAS SUBMITTED TO ERIC DOCUMENT REPRODUCTION SERVICE.

24 – 30

6. Panel members are instructed to complete OE Form 143-1, Educational Quality Rating Form for each specific category under review.

7. Panel members must be sure that written comments on the rating forms are clear and precise, as they will be a factor in ascertaining the strengths and weaknesses of the program.

8. Panel members will, upon completion of the individual ratings for each specific category, complete and sign the Summary (Page 1 of the Educational Quality Rating Form).

9. Panel members will hand in all review forms to the program officer assigned to the panel.

5. Instructions for the Right to Read Program Officers Assigned to Panels

   a. The program officer assigned to the panel will serve as a resource person only to the panel during the evaluation process.

   As the panel proceeds with its evaluation and assessment of the application, the program officer will be the channel of communication between the panel and the applicant on the one hand, and between the panel and the Right to Read Director.

   He/She is not to make any statements or comments to the panel members that could possibly influence their decision in rating the application. Further, in no circumstances, shall the program officer participate in the assignment of points for any of the categories under consideration during the evaluation. The program officer is to maintain a completely neutral position throughout the evaluation process.

b. The Right to Read Program Officer will be responsible for collating the individual ratings of the panel members on OE Form 241, Panel Review Summary. The program officer assigned to the review panel will collect the completed Educational Quality Rating Forms from each panelist. Using OE Form 241, Panel Review Summary Sheet, the program officer will then take each of the three panelist's total scores as indicated on the Educational Quality Rating Form Summary and mark them in the column designated Total Scores opposite the panel member's name. These three scores will then be totaled. To obtain the overall Educational Quality Rating Score for an application, the program officer will divide the total of the four scores by three (3) which is the number of panel members.

c. The Right to Read Program Officer is responsible for the accuracy and completeness of the educational quality rating.

d. The Right to Read Program Officer will insure accuracy and completeness of his computations for educational quality ratings by having at least one additional program officer double-check his computations.

e. The Right to Read Program Officer will transmit the educational quality rating for each applicant to the Right to Read Central Control Unit.

f. Right to Read staff in the Central Control Unit will combine the statistical data and educational quality ratings for each applicant. OE Form 139, ESA Application Rating Summary Chart is to be completed listing every application received for Special Reading Projects.

g. The Right to Read Program Officer will review the ESA application Rating Summary to insure accuracy of computation of scores and rankings of applicants.

h. The Right to Read Program Officers in the Central Control Unit will be responsible for accuracy of all computations and/or rankings.

6. Office for Civil Rights Compliance Status Review

a. If necessary, approximately twenty-five (25) days from OCR's receipt of Copy #3 of the application will be allowed for completion of the Compliance Status Review. Otherwise, the Compliance Status for an applicant will be ascertained from BEEO records.

b. It is imperative that the Right to Read Director have Compliance Status reports for all applications considered for approval. Applications are not to be approved for funding without Compliance Status reports.

c. A report on the Compliance Status of all applicants approved for funding is to be prepared in the form of a memorandum from the Director of the Office for Civil Rights to the Right to Read Director prior to final signoff on the Decision Memorandum.

7. Administrative Review of the Budget

(1) Copy #4 of all applications that are to be considered for funding will be transmitted to the Contracting Officer for verification of activities and logistics costs outlined in application.

(2) The Right to Read Program Officer and the Contracting Officer will jointly review the application to determine that a need for assistance exists. The application must show that funds requested are required to improve the reading performance of all children in schools that qualify for ESAA Special Reading Projects.

(3) Contracting Officers and Program Officers will complete OE Form No. 144, Administrative Review of Budget, indicating adjustments and approval of costs, assuming activities as outlined in the application are to be funded.

(4) School districts must be advised by program officers of all budget revisions.

(5) In cases where the Administrative Review of the Budget reveals that the funds requested are not related to improving reading performance in qualified schools, the Program Officer must notify the Right to Read Director of this discrepancy. The Program Officer will advise the applicant immediately of the problem(s) inherent in the application. A record of the contact with the applicant must be made on OE Form 236, Memorandum of Conversation for Application Case Files.

(6) If budget reductions of more than 25% of the total amount requested are made in the application as a result of the budget review, the application must be reviewed and rated

again by the Educational Quality Review Panel. Where possible, the same panel should be used to review such applications.

8. Application Modifications Subsequent to the Educational Quality Rating Review Panel and the Administrative Review of the Budget

   a. Program Officer assigned as resource person will be responsible for notifying and assisting the applicant when program modification is necessary.

   b. Program Officer responsible for effecting program changes will prepare a detailed memorandum or memoranda for the Case File covering all of his/her activities related to discussions with applicant.

   c. When modification of the application is completed, the Program Officer assigned as resource person will be responsible for preparation of the application in the fianl form.

      (1) The orig[illegible] signed copy #1 of the application should not be a[illegible]ed, erased or otherwise obliterated.

      (2) All modi[illegible]ons made as a result of negotiations with the [illegible]nt must be attached to Copy #1 in the form of [illegible]ts.

      (3) All am[illegible]ust be legible and clear so as to be read[illegible]

MANAGEMENT MANUAL FOR TELEVISION GRANTS
ADMINISTERED UNDER SECTION 711-
TITLE VII EDUCATION AMENDMENTS
of 1972 (P.L. 92-318)

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
NATIONAL CENTER FOR EDUCATIONAL TECHNOLOGY

NOTE: The following page constitutes a "Table of Change" form which will enable those who are in receipt of this manual to log all changes and/or additions.

EMERGENCY SCHOOL AID TELEVISION MANUAL

TABLE OF CHANGE

CHANGE NUMBER	PAGE NUMBER	DATE RECEIVED	DATE PUT IN MANUAL	NAME OF STAFF MEMBER NOTING RECEIPT O CHANGE (Initial after typed or printe name)

SECTION I - INTRODUCTION

A. Audience
This Manual is intended for use by OE supervisors and staff personnel responsible for implementation of the Emergency School Aid Act (ESAA) Title VII, Section 711 (ESAA-ETV), P.L. 92-318.

It will also be made available to all those persons designated as panelists assigned to review and evaluate grant proposals submitted under Section 711, ESAA.

B. Initiation Responsibility
Initiation of this Manual has been the responsibility of the National Center for Educational Technology (NCET) in consultation with the Bureau of Equal Educational Opportunity (BEEO). NCET operates under the Deputy Commissioner for Development; BEEO under the Deputy Commissioner for School Systems.

C. Purpose
This "Management Manual for Television Grants administered under Section 711-Title VII, P.L. 92-318" is established as the permanent, authoritative reference for policy and procedures, information, standards and direction for all OE supervisors and staff personnel charged with implementing the Educational TV Section of the Emergency School Aid Act and for all non-OE review and evaluation panelists.

Its primary objectives are:

1. to guide NCET in administration of Section 711.

2. to provide BEEO with a comprehensive reference as to the procedures and policies which NCET will follow in its administration of Section 711.

D. Background

1. The contents of this document assume all grant awards are to be made on or by April 30, 1973.

2. Grant Proposal Solicitation Brochures prepared by NCET, together with a set of "Proposed Regulations for Educational Television" prepared by BEEO and NCET were mailed to the following [illegible] potential bidders* beginning January 19.

(a) all Public TV station licensees; all state [illegible]

(b) all predominantly Black institutions of higher education as compiled by the Office of African American Affairs [illegible]

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* Approximately eight major periodicals, including Broadcasting Magazine and ETV Newsletter, carried articles about the grants.

(c) minority-based, non-profit media production agencies which had previously made NCET aware of their existence, as well as other such organizations included in a list supplied to us by the Minority Affairs Office of the National Association of Educational Broadcasters;

(d) other interested and potentially eligible entities which subsequently requested these materials.

[illegible] listing all organizations to which a set of these documents [illegible] mailed, together with the name and title of the person to whom [illegible] were directed, and the date on which the material was sent out [illegible] NCET, is being maintained by NCET.

3. A cover letter attached to the proposed Regulations stressed [illegible] "advisory" status. Written comments, suggestions or objections [illegible] encouraged.

4. A cover memo to the Grant Proposal Solicitation Brochure [illegible] that official application blanks and instructions would be sent [illegible] receipt of written requests which were to be accompanied by three [illegible] labels.

[illegible] The Grant Proposal Solicitation Brochure with its cover letter [illegible] attached as Appendix A.

[illegible] proposed Regulations, with cover letter, are attached as Appendix B.

[illegible] application forms are attached as Appendix C.

All other forms used in processing proposals or in post-award program administration are attached as Appendix D, except the OE Contract and Grant Management Team Handbook, which is attached as Appendix E.

Where the contents of these Appendices are cited in this Manual, appropriate page references will be included in the text, (e.g., the letter covering the brochure, noted above, is p. A-i; references to point awards and the evaluation, or "Project Selection Criteria" under which these appear, will be referred to by appropriate page references, pp. A-5 through A-8, etc.)

5. The purpose of Section 711, ESAA; the problem area it deals with; the reasons why TV was mandated to meet such problems; the procedures for submitting proposals; and the definitions of applicant eligibility are all stated at the beginning of the Grant Proposal Solicitation Brochure, pp. A-1 through A-3.

SECTION II PRE-GRANT AWARD ADMINISTRATIVE PROCEDURES

A. Review Panel Composition and Selection

Grant proposals will be reviewed and rated in accordance with the criteria and point award system spelled out in pp. A-5 through A-9 of the Grant Proposal Solicitation Brochure by a panel composed of:

3 NCET representatives assigned by the Associate Commissioner for Educational Technology,

1 BEEO representative assigned by the Associate Commissioner of BEEO; and

6 non-OE persons representative of those minority groups which constitute the target populations, at least two of whom shall be Black, at least two Spanish surnamed (one of whom shall be bilingual), and at least two females. Two of these non-OE panelists will be recruited from the ranks of public TV; and one will be a person employed in a school capacity (LEA or SEA) where his/her duties focus on minority education and/or intergroup relations. These non-OE panelists will be selected by the Associate Commissioner for Educational Technology. In selecting them, the Associate Commissioner will consult with such organizations as the Office of Minority Affairs of the National Association of Educational Broadcasters, Black Efforts for Soul in Television, the Chicano Public TV Producers Associations, ASPIRA, the Chinese Media Committee, the American Indian Audio-visual Institute, etc.

B. Compensation

All non-OE panelists will receive a per diem of $70, plus $25. for every full work day, plus full travel expenses.

C. Conflict of Interest

Although it is unlikely, there is the possibility that a member of the panel may find before him/her the application from his/her own organization, in which he/she was formerly employed, or in which a member of his/her family are to be employed. Should this occur, such members shall immediately disqualify themselves from consideration of the application.

OE panelists will disqualify themselves from evaluating proposals submitted by organizations which have conducted projects under federal grants or contracts for which they have previously served, or are presently serving, as project monitor.

The following procedure is to be used in the event that a panel member disqualifies himself or herself. The Associate Commissioner for Educational Technology will utilize another evaluator to fill in for that specific application.

D. Proposal Evaluation Schedule and Procedures

All proposals are due no later than March 15, 1973. When received, each proposal will be logged in on OE Form 265 (p. D-2). This form will include provision, as spelled out in the instructions (pp. 4-C-1 through D-1) for assigning a PGIS (PR) number according to the instructions as found in Appendix C, pp. 4-C-1 through 4-C-4. There should be added to it a number showing under which of the following categories the proposal is to be considered:

- Bilingual/Bicultural Series
- Cognitive Skills Series
- "Lifelong" Skills Series
- Spot Announcements.

The original and two copies of the proposal, as requested in the Grant Solicitation Brochure (p. [illegible]-2), will be stamped with the date and time of receipt. The PR number assigned the proposal will then be entered on the upper right hand corner of all three copies.

A form letter acknowledging receipt of the proposal (p.D-3) will then be signed and sent to the submitter by the Associate Commissioner for Educational Technology. One of the two copies of the proposal will be sent to the Associate Commissioner of the Bureau of Equal Educational Opportunity. The other copy will be sent to the Office of the Division of Contracts and Grants. Proposals not meeting threshold criteria for eligibility will be returned.

The original proposal will become the master from which ten copies will be made. This original will be retained in the master file for each proposal on the cover of which will be marked the proposal's PGIS code and number. The ten will be for the evaluators.

E. The Panel of Evaluators

The panel will convene in Washington not later than March 30, 1973, and will start with an orientation session which will include discussion of the parts of this manual that involve the panel as well as discussion of the point awarding system. NCET will designate the non-voting chairman of the panel. The proposals will then be distributed for reading and evaluation. Panelists will rate independently but may discuss proposals as they wish. The chairman will in no way attempt to influence the panel.

All panelists will read all proposals excepting those which a panelist is disqualified from reviewing as explained hereinafter. The panel will remain in session for as many days as necessary to complete the reading and evaluations.

Each panelist will receive a copy of this Manual, a set of all proposals, and a set of ESAA-ETV Evaluation Forms (numbering twice the number of proposals). This evaluation form, OE Form 265-2 (pp. D-4a-4j) will include, in addition to spaces for identifying the proposal, its category and file number, spaces for entering points for, and comments on, each Project Selection Criterion.

All panelists will enter points and comments for all criteria with the exception of:

(e) Facilities Capability
and the 4-point criterion under
(h) dealing with Budget.

Only those panelists judged by the Associate Commissioner for Educational Technology as qualified to judge these two criteria will enter points and comments under them. The rating forms for panelists not qualified to judge these two criteria will be stamped "Do not Evaluate", in the spaces under which points and comments pertaining to these two criteria are to be entered. In such latter instances, the average score for that criterion, as computed from the points awarded by qualified panelists, will be entered in the appropriate place for those sections of the proposal evaluation forms marked "Do Not Evaluate".

Should those panelists competent to evaluate "(e)" - facilities capability - decide that a site visit is necessary to determine such capability, arrangements for such a visit should be made immediately. Points awarded on the basis of such a visit should then be transmitted to the tabulators. Only visits to potential grantees will be considered.

F. Tabulation and Notification

When all proposals have been rated, they will be hand-delivered to a non-panelist member of the NCET staff, to be designated by the Associate Commissioner for Educational, who, together with a representative of the contracts and grants division assigned by the Chief, Higher Education Branch, and a representative of the Associate Commissioner for Equal Educational Opportunity, will tabulate the points awarded each proposal.

At that time, a mean average of points scored for each criterion and/or sub-criterion will be computed for each proposal on OE Form 265-3 (p. D-5)

The NCET, Contracts and Grants, and BEEO tabulators will then inform the Associate Commissioner for Educational Technology of the highest-scoring proposal in each series category and the two receiving the highest points for spot announcements who will in turn determine the award winners. The Associate Commissioner for Educational Technology may, however, consult with the Assistant Secretary for Education to determine the advisability of using the option listed in the proposed rules under 185.72 (b)(1) or 185.72 (b)(2).

The organizations or institutions who submitted the proposals selected on the basis of the above procedure will then be notified by phone immediately, and subsequently by letter, and asked to be available for a one-day negotiation session to be scheduled within several days.

Organizations and institutions that submit unsuccessful proposals will be notified by form letter (p. D-6).

G. Conduct of Negotiation

Participating at each negotiation session will be the NCET project monitor for that category as designated by the Associate Commissioner for Educational Technology; the grants officer as designated by the Chief, Contracts and Grants Division; the project director as designated by the organization which submitted the proposal, together with the person designated by the submitting organization to exercise primary financial responsibility for the project (e.g., the submitting organization's business manager).

Prior to the first negotiation the Associate Commissioner for Educational Technology will examine the four successful proposals in order to determine how the available ESAA-ETV funds (i.e., the mandated 3% of the total ESAA appropriation plus any additional funds from the A.S.E.'s 5% set aside) will be apportioned among each of the four projects. Only where, as the result of the negotiation process, the submitter of a highest-ranked proposal is unable, or proves unwilling, to modify the scope of his proposal, if such becomes necessary to meet budgetary limitation, will such a proposal be disqualified.

In such a case, the proposal receiving the second-highest point total in that category will become the basis of grant award negotiation only if the first-highest proposal in another category has fewer points than it does. If the first-highest proposal in another category has more points, then it becomes the basis of grant award negotiation.

Program, as opposed to financial considerations, may also become the basis of negotiations. It is assumed that panelists' comments would serve as the basis for most of such programmatic negotiation.

At the conclusion of the negotiations, the Associate Commissioner for Educational Technology and the Associate Commissioner in charge of the Bureau of Equal Educational Opportunity will co-sign a Memo of Record indicating the names and sources of all proposals submitted, the points accorded each, and the final grantees. (cf. p.D-7)

H. Procedures Concurrent With Award

The NCET project officer-designate for each grant will be responsible for expediting the following routine forms which are necessary for all grant awards: PGIS, Departmental Approval, Commissioner's Memo, Congressional Notification and a Project Abstract. Within five days of the award, the project officer will also notify the Regional Commissioner in whose region the grant is to be awarded.

I. Specific Procedures for Notification to Applicants

(1) Responsibility for Notification:
The Associate Commissioner for Educational Technology has sole responsibility for notification of application approvals.

(2) Notification to Approved Applicants:

(a) Upon signing the award document, the NCET reproduces copies of the cover sheet in accordance with the distribution described below. The NCET may not notify recipients of awards until at least 48 hours after the notification of such awards has been received by the Office of Congressional Liaison, OS. THE OFFICE OF CONGRESSIONAL LIAISON (OCL) WILL NOTIFY MEMBERS OF CONGRESS.

(b) Upon notification that an award has been made, the OE/OPA and the local public information individual or organization will determine its news value, arrange for preparation of a press release, for coordination with proper program officers, and for actual release. In no case will the press release be issued prior to two days after the date on which the notification was received by the Office of Congressional Liaison.

(c) At the end of the 48-hour waiting period, copies of the cover sheet will be distributed by the NCET via normal mail distribution channels, as follows:

-- Immediate Office of the Commissioner	2 copies
-- Office of Legislation	20 copies
-- OE Regional Commissioners	1 copy
-- Deputy Commissioner for School Systems	2 copies
-- Assistant Commissioner for Regional Office Coordination	1 copy
-- Associate Commissioner for Federal-State Relations	2 copies
-- Chief State School Officer(s) as appropriate of the State(s) concerned	

J. Preparation and Content of the Application Case File

Maintenance of a complete and accurate Case File in the Office of the Associate Commissioner for each application is imperative. The Case File must be current at all times because it is the single, comprehensive record pertaining to a particular application.

Contents of each file:

(1) Copy #1 of the application forms
(2) Copy #1 of the proposal
(3) Evaluators' rating sheets
(4) Pre-Grant Site-Review Report, if any
(5) Copies of all correspondence related to the proposal
(6) Notification of grant award
(7) All reports (developed and submitted after award of grant)
(8) General background and miscellaneous materials
(9) Tabulators' summary sheet, if any.

SECTION III - GRANT MANAGEMENT PROCEDURE

Grant management will include, but not necessarily be limited to, the following:

1. Site visits.
2. Oral and written reports from the project director.
3. Script and completed show clearances as specified in the grant document.
4. Clearance of formative evaluation documents to be used.
5. Go/no-go check points specified in the grant.
6. Attendance at advisory committee meetings.
7. Active knowledge of circumstances leading to major decisions in the project.
8. Other involvement necessary to insure that OE maintain a complete working knowledge of the project.

All grant management and monitoring procedures will be consistent with the Office of Education's Contract and Grant Management Team Handbook. (see Appendix E) The Associate Commissioner for Educational Technology will provide the Associate Commissioner for BEEO with a quarterly report on project monitoring activities.

APPENDIX A

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H

MEMORA[illegible]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION

TO The Ad[illegible]ssee **DATE**: January 19, 1973

FROM Dr. Robert T. Filep
Associate Commissio[illegible] Educational Technology

SUBJECT: Emergency School Ai[illegible] Television Programming Grants

The attached mater[illegible]ides information to potential grantees under the program [illegible] described. Included are (1) a copy of the draft regulatio[illegible]ering the program, with a description of the method by which [illegible] regulations will be approved and (2) a brochure that gives [illegible]onal information about the problem area, goals, selection cr[illegible], and descriptions of the categories to be funded.

Please note that the [illegible]s have not yet been finalized. Successful proposers must, the[illegible], be willing to make appropriate changes prior to receiving [illegible]t, should any be necessary, due to changes in the rules.

The brochure, howe[illegible]ontains enough information to begin planning a proposal.

After studying the [illegible]mation to deter[illegible]ne interest and e[illegible]ibility, potential applican[illegible]uld write to.

ESAA-[illegible]
Natio[illegible]nter for Educational Technology
Code [illegible]
300 7[illegible], S.W.
Washi[illegible] D.C. 20202

for the official a[illegible]tion blanks and instructions. Include three typed address labe[illegible]n the request.

Please note that c[illegible]ed applications including the proposal should be submitte[illegible] March 5, 1973.

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U.S. OFFICE OF EDUCATION

GRANTS TO SUPPORT TV PROJECTS AUTHORIZED UNDER EMERGENCY SCHOOL AID ACT

I. Introduction

In accordance with Sections 711 and 704 (b) (2) (B) of the Emergency School Aid Act, P.L. 92-318, Title VII, the National Center for Educational Technology (NCET), in cooperation with the Bureau of Equal Educational Opportunity (BEEO), is soliciting proposals for educational Television (TV) projects which would qualify for funding under Emergency School Aid Act (ESAA) television grants.

The Assistant Secretary for Education plans to award up to four grants in Fiscal Year 1973, not more than one each under category 1, 2, and 3 series; and not more than two for spot announcement materials. [See Section IV.]

Eligible applicants are limited to public or private nonprofit agencies, institutions or organizations. [See Section IV.]

II. Problem Area

The Emergency School Aid Act is intended to meet special needs incident to the desegregation of schools or the elimination, reduction, or prevention of minority group isolation and to aid school children in overcoming the educational disadvantages of minority group isolation. Among the problems which many students face, are the following: deficiencies in readiness to undertake instruction in the basic verbal and arithmetic skills; difficulties in achieving mastery of these skills; difficulties resulting from having been brought up in settings where English is either not spoken, or is a secondary language, negative self-image as a result of minority status; tensions resulting from sudden contact with large numbers of students representative of populations with which previous contact was limited; and lack of awareness and/or appreciation of non-dominant group cultures.

Since television is felt to be a medium to which youngsters respond favorably and, therefore, a medium through which cognitive and affective instruction can be presented effectively, Congress mandated that a minimum of 3% of the funds appropriated under ESAA be set aside for the production of video materials designed to help alleviate various of the above problems.

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III. Procedures

Respondents are asked to submit an original and 2 copies of a project proposal to the

National Center for Educational Technology
Code 525
U. S. Office of Education
300 7th Street, S.W.
Washington, D.C. 20202.

It should be noted that the intrinsic intent and quality of the proposal-- not elaborate or expensive art work, illustrations, specifically prepared and printed brochures, etc. -- will be the major concern. Indeed it would be expected that a proposal should itself communicate the cost-consciousness of the proposer. A proposal may address itself to a category 1, 2, or 3 series, or to the spot announcement format [See Section V.] Each proposal should, in addition to its content relevance address itself to each of the "Project Selection Criteria", also listed below, in Section VI. Proposals will be reviewed by a panel consisting of NCET and BEEO representatives, as well as by non-OE persons representative of the populations which the Act is intended to benefit. Grant proposals are requested no later than March 5, 1973. Notification of grants are tentatively scheduled to be made by the Assistant Secretary on or before June 30, 1973.

IV. Eligible Applicants

Applicants are limited to public or private nonprofit agencies, institutions or organizations with the capability of providing expertise in the development of television programming that incorporates extensive research and development; creative production; formative evaluation; and where applicable (i.e., for instructional TV programming), coordinated follow-up and reinforcement activities for the television programs. Capability will be determined by examination of prior relevant activity, demonstrated knowledge of potentially effective media utilization systems, adequacy of production facilities to be employed, staff capability, and credibility in the target communities, (such credibility being in part a function of an employment policy which results in adequate minority representation at all staff and managerial levels, plus a project advisory board which includes representatives of the target communities). [See Section VI.]

NB: In recognition of the fact that there may be relatively few, if any, predominately minority agencies which have the technical capability and/or facilities to produce programming, cooperative efforts will be

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welcomed in which such minor tv agencies undertake significant responsibilities for determining the goals and content of the [illegible] TV materials, and in which production agencies assume production responsibility. These kinds of relationships enhance the development of additional minority capabilities.

V. Categories

Six content categories are listed below. The first three will define ESAA-TV programming which will be transmitted as part of regularly scheduled, ongoing series by commercial and/or public TV stations and/or networks at times appropriate to reach target audiences in intended places of reception. The number of individual programs (or 'shows') necessary to accomplish the aims of categories 1, 2 and 3 must be stated and justified by the proposer. All 'shows' within a series should conform to one of the following standard broadcast lengths: 9:20; 14:20; 19:20; 29:20; 59:20.

Any or all of content categories 4 through 6 below, (as well as 1, 2 and 3), may serve as the basis of one-minute ESAA television spots. This spot programming format is being called for because many youngsters can only be reached via TV in non-school hours while they are viewing such programs as cartoon shows, and re-runs of network situation comedy series on commercial channels. These one-minute spots will then be made available for inclusion as public service announcement within such programming when broadcast by local commercial stations and/or by networks. The concept to be addressed in each single spot must be complete in and of itself.

Responsibility for coordinating broadcast time on networks or on individual stations in the case of content category 1, 2 and 3 series and for making the sets of public service spots available to stations and networks, will be determined jointly by the grantee and OEET.

Recipients of category 1, 2 and 3 content series awarded grants will produce a master set of 2" high-band color videotapes, four sets of first generation 2" high-band color videotapes, and one set of 3/4" color tape cartridges, together with typed copy for inclusion in teacher guides which will accompany content category 1, 2 and 3 series. Recipients of ESAA-TV spot grants will produce a set of 2" high-band color masters, plus 500, 2" high-band color videotape copies of each spot in a mix of formats (i.e., cartridges and/or reel-to-reel) to be determined.

1. Bilingual/bicultural:

[illegible] category calls for materials focusing on bilingual/bicultural approaches to assist [illegible] minority group children from environments

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which the dominant language is other than English, in the development of reading, writing, and speaking skills (in both the English language and the language of their parents or grandparents), and to instilling in both minority and nonminority group children an understanding and appreciation of each other's history and cultural background.

2. Cognitive Skills:

The goal of this category is a series of instructional television materials designed to offer successful introductory instruction at the early elementary grade levels in one or more of the following: basic mathematics skills and concepts; initial reading; art and music; basic science.

3. "Lifelong" Skills:

This category, calls for an ITV series which will offer instruction to senior high school youngsters in areas such as: good nutrition for the family in-spite of income level; purchasing (comparative shopping, decision making and budgeting including the necessary mathematical skills); emergency health care and a health care program for the family including pre-natal care; and child-rearing practices that are cognizant of the varying cultural values.

4. Coping Skills for Dropouts:

A rather stark correlation still exists between minority status and dropping out of school. Dropping out of school, however, does not mean dropping out of life. One continues through life with a handicap-- but one continues. Video materials addressing themselves to this category should attempt to instill in young drop-outs an understanding of how dropping out will affect their future, and the alternatives open to them-- with particular stress on job-procurement attitudes and skills.

5. Cultural Enrichment:

Youngsters from various minority groups must become more aware of their varying cultures and of their cultural contributions to America as a whole. Youngsters from the dominant cultures should become aware that a dominant culture may not represent the only or the only "right" culture. Thus, this category calls for the creation of spot announcement materials designed to foster knowledge, understanding and appreciation

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by youngsters from the dominant culture and from each of the minority groups of their own culture and the cultures of the other groups which are found in America.

6. Inter-racial and Inter-ethnic Tension and Conflict Reduction:

Recent experience has shown that in newly integrated school situations tensions between the various groups now represented in a school's new population makeup are likely to arise. These tensions may range from apprehensiveness to outright confrontation and physical violence. Many of the crisis situations re-occur so frequently from locale to locale that it is possible to delineate those most likely to occur, and thus to produce materials whose purpose would be to prevent or to defuse them, (e.g., youngsters from the minority group will perceive, and/or will actually find, themselves the recipients of more stringent discipline; members of the usually more affluent majority population will be, or imagine they have become targets of nickel/dime extortion attempts.) Spot announcement material submitted under this category might attempt to clear up in advance the misunderstandings which various groups commonly entertain about each other; and/or they might deal with the more common, specific crisis situations by focusing on the contributing and resolution roles which are, or might be, assumed by minority and majority group youngsters, parents, teachers, school officials and other community persons.